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DEPARTMENT OF CONSERVATION AND

NATURAL RESOURCES

ADVISORY BOARD

MAY 22, 2004

GULF STATE PARK LODGE

9:00 a.m.

Taylor Reporting \* 251.248.2108

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## 1                   A P P E A R A N C E S

## 2       DCNR ADVISORY BOARD MEMBERSHIP:

3

4           Dan L. Moultrie - Chairman           Present

5           Dr. Gaines Smith                   Present

6           Ross M. Self                       Present

7           M. Barnett Lawley                  Present

8           Louis W. Coles                    Present

9           Dr. A. Wayne May                  Present

10          James W. Porter, II               Present

11          Bill Hatley                       Present

12          Johnny M. Johnson                Present

13          W. Grant Lynch                   Present

14          Marvin Willis                    Present

15          George Harbin                    Present

16

## 17       STAFF MEMBERS:

18           Robin Nummy

19

20

21

22

23

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1 INDEX

2 Page

3 Call to Order - Chairman Moultrie 4

4 Invocation - Johnny Johnson 4

5 Introduction of Board Members 5

6 Commissioner M. Barnett Lawley

7 Approval of Minutes of Last Meeting

8 Departmental Reports

9 By Commissioner Lawley

10 Break

11 Public Hearing

12 Lunch Break

13 Proposed Regulations

14 A.) Marine Resources

15 B.) Marine Police

16 C.) Wildlife and Freshwater Fisheries

17 Selection of Date and Location of

18 Spring Advisory Board

19 Adjourn

20 Court Reporter Certificate

21

22

23

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1 GULF SHORES, ALABAMA; SATURDAY, MAY 22, 2004

2 9:00 A.M.

3

4 - - -

5

6 P R O C E E D I N G S

7

8 CHAIRMAN MOULTRIE: I'd like to  
9 call the meeting to order. This  
10 convenes the Department of  
11 Conservation and Natural Resources  
12 Advisory Board Meeting. I'd like to  
13 welcome you to Gulf Shores. It's  
14 nice to be here today.

15 We will have the invocation by  
16 Mr. Johnny Johnson.

17 MR. JOHNSON: Let us pray.

18

19 (Prayer)

20

21 CHAIRMAN MOULTRIE: Thank you,  
22 Mr. Johnson.

23 For the next order of business,

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1 I'll call Mr. Barnett Lawley to  
2 introduce the members of the board.

3 MR. LAWLEY: Thank you. If you  
4 would just raise your hand as your  
5 name is called so they will know who  
6 you are.

7 Chairman Dan Moultrie.

8 Ross Self.

9 Louis Coles.

10 Dr. Wayne May.

11 Jim Porter.

12 Bill Hatley.

13 Johnny Johnson.

14 Grant Lynch.

15 Marvin Willis.

16 George Harbin.

17 Dr. James Smith, ex-officio

18 member from Opp.

19 Thank you.

20 CHAIRMAN MOULTRIE: Thank you.

21 The next order of business. Are  
22 there any corrections to the minutes  
23 of the March 6th, 2004 advisory board

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1 meeting minutes? If not, the minutes  
2 stand approved as read.

3 The next order of business will  
4 be the departmental reports. I'd  
5 like to call for Mr. Lawley to  
6 introduce the departments.  
7 Commissioner?

8 MR. LAWLEY: Everybody has a  
9 division report in your packet that  
10 the five divisions have prepared.  
11 We're going to forego this report at  
12 this time as they all gave a report  
13 at the last meeting. The makeup of  
14 the divisions has not changed any but  
15 it is in your packet. If you have  
16 any questions for me I would be happy  
17 to answer them. But you will be  
18 hearing from each of these people  
19 later as we get into the regulations.

20 CHAIRMAN MOULTRIE: Thank you,  
21 Commissioner.

22 We have a recess but we won't  
23 take that. We have sort of gone on

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1 through that pretty quickly.

2 The next order of business is the  
3 public hearing.

4 Robin, do we have the list of  
5 people yet?

6 We will stand at ease for just a  
7 minute. Let me see if I can find  
8 Robin and get that list.

9 I minute she says.

10 MR. LAWLEY: Let me tell you al  
11 about a piece of legislation, why at  
12 this time it wasn't on our list that  
13 we did get passed this session. What  
14 it does, as you know, we have a  
15 hunter education course in the state  
16 but we're -- that you're required to  
17 take before you buy a hunting  
18 license. Well, what this legislation  
19 is was allow the military, for their  
20 training, to substitute our  
21 Hunter Safety Course in Alabama so  
22 they could buy a hunting license.

23 It also allows the military

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1           stationed in Alabama on active duty  
2           to be able to buy a state hunting  
3           license at the resident rate.

4           And Alabama residents who are on  
5           active duty but home on leave, we're  
6           going to allow their license to serve  
7           -- I mean, their leave papers to  
8           serve as a license for the time here  
9           if they want to participate.

10          We think it's something that  
11          should be done. It's certainly right  
12          to do that for the sacrifices that  
13          these people are making for us.

14          And if you haven't read about it  
15          and you didn't know about it, we're  
16          pretty proud of it and we wanted to  
17          share that with you.

18          CHAIRMAN MOULTRIE: Again, we're  
19          taking a short break while waiting on  
20          the list of all of the speakers.

21          For anyone to address the Chairs,  
22          again while speaking, we will have no  
23          interruption during anybody's spoken

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1           time of talking. And any motions  
2           need to be written out and handed to  
3           the Chair.

4  
5                       (Long pause)

6  
7                       CHAIRMAN MOULTRIE: The next  
8           order of business is the public  
9           hearing. When you hear your name  
10          called please come to the microphone  
11          and give your name and the subject  
12          you wish to speak about.

13                I remind you again, you may only  
14          speak at your time and any  
15          interference with a speaker will not  
16          be tolerated.

17                First I'd like to call Roger  
18          Guilian from Mobile.

19                MR. GUILIAN: Thank you, Mr.  
20          Chairman. I appreciate the  
21          opportunity to speak here this  
22          morning. I speak on --

23                CHAIRMAN MOULTRIE: Is your  
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1 microphone on?

2 There we go.

3 MR. GUILIAN: Thank you, Mr.  
4 Chairman. I appreciate the  
5 opportunity to speak here this  
6 morning.

7 I'm here to speak about the  
8 proposed ban on trawling in the  
9 Mobile Bay area. I'm here on behalf  
10 of Mobile County Wildlife and  
11 Conservation Association. I speak on  
12 behalf of the 1200 members of NCWCA.  
13 As you may know, the NCWCA is the  
14 oldest conservation association in  
15 Alabama, founded in 1934. It is  
16 committed to the preservation,  
17 restoration and enhancement of the  
18 wildlife habitat and natural  
19 resources in Mobile and the  
20 surrounding areas for the thousands  
21 of citizens who enjoy it on a  
22 recreational basis and for many other  
23 reasons.

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1           CHAIRMAN MOULTRIE: Roger, before  
2           you start, can everyone hear the  
3           speaker all right? Is there anybody  
4           that can't?

5           Okay. Go ahead.

6           MR. GUILIAN: Thank you.  
7           Briefly, Mr. Chairman, I'll try not  
8           even to use all of my time in the  
9           interest of brevity here this  
10          morning.

11          The Mobile County Wildlife  
12          Conservation Association does, in  
13          fact, support the ban on trawling in  
14          these areas for several reasons. Two  
15          chiefly.

16          Number one, we feel that it is  
17          beneficial to the natural habitat,  
18          the wildlife habitat, in this area.  
19          A ban on trawling would chiefly  
20          benefit nurseries and staging areas  
21          for shrimp and other wildlife  
22          habitat, marine wildlife habitat, in  
23          those areas.

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1           If they are left relatively  
2           undisturbed these nurseries can grow  
3           and thrive.

4           It is well documented that  
5           basically most, if not all, marine  
6           life in these areas spend some period  
7           of time during their life cycle in  
8           these estuary areas, whether it's  
9           breeding, nursing, staging or  
10          what-have-you. These are very vital  
11          area to the marine wildlife habitat.

12          We feel that if this area is left  
13          relatively undisturbed that that will  
14          lead to the enhancement of the marine  
15          wildlife habitat. Better nurseries,  
16          better staging areas means a  
17          enlarger, healthier and basically  
18          more anatomical and more valuable  
19          shrimp is good for the industry.  
20          It's also good for the environment.  
21          And we believe it's in the public's  
22          best interest to conserve these  
23          areas.

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1           We are certainly not  
2           anti-business. We are not  
3           anti-growth. We're not  
4           anti-industry. But we feel that a  
5           good balance is in order here.

6           And these areas deserve to be  
7           left undisturbed so the shrimp can  
8           grow larger and be healthier. And at  
9           the end of that, they're going to be  
10          more valuable.

11          There's a direct correlation and  
12          direct positive correlation between  
13          the number of days where these areas  
14          will be closed and the shrimp that  
15          would be able to thrive in these  
16          areas. The shrimp harvest ultimately  
17          would be larger and therefore more  
18          valuable.

19          The second issue that we feel is  
20          very important, Mr. Chairman, is the  
21          issue of by-catch. You're familiar  
22          with this, I'm sure. And there are  
23          tons and tons and tons and billions,

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1           if not more, of by-catch that are  
2           destroyed and ultimately discarded  
3           every year because of shrimping.  
4           It's been estimated up to ten pounds  
5           of by-catch is caught and discarded  
6           for every one pound of shrimp. Fig  
7           fish, bait fish, other things that  
8           are vital to the ecosystem and the  
9           chain are taken up in these nets.  
10          And a little restraint now at the  
11          state level, voluntarily, will do  
12          everyone on both sides a world of  
13          good down the road.

14                As you probably know, the law  
15                requires by-catch reduction. Federal  
16                law and state law require by-catch  
17                reduction. And if we take some minor  
18                steps now to have some reasonable  
19                restraint at this level, we can stave  
20                off potential federal intervention.  
21                And it would be very easily  
22                accommodated, regulatory schemes that  
23                federal regulations bring down.

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1           By reducing by-catch now we can  
2           stave off any type of federal  
3           intervention and we would be doing  
4           both sides a world of good because we  
5           would govern ourselves as opposed to  
6           waiting until it gets out of control  
7           and the federal side has to come in.  
8           Minimal effort now would prevent many  
9           problems later.

10           We feel that it's reasonable to  
11           take some steps at this point on a  
12           smaller basis and a smaller scale  
13           than have someone else come in and do  
14           it for us.

15           Obviously, any type of closure  
16           scheme would be open to regulatory  
17           review on a regular basis, whether  
18           it's every couple of years or more  
19           sooner -- excuse me, or sooner. It  
20           wouldn't be a final thing. It  
21           wouldn't be anything where: Okay,  
22           now this is closed and that's the end  
23           of it. It would come up for review.

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1           And if it's not effective, if it's  
2           not working, if it's  
3           disproportionately hurting the  
4           industry, but not really helping,  
5           then that could up for review.

6           But the NCWA feels that it is a  
7           good idea to ban trawling in these  
8           areas because of the damage to the  
9           wildlife and the damage to the  
10          surrounding habitat is something more  
11          -- let me back up.

12          It's disproportionate to the  
13          value of what is harvested there.  
14          We're certainly not anti-business.  
15          We're certainly not trying to keep  
16          people from making a living.

17          We feel that -- we feel it's our  
18          responsibility to be stewards of the  
19          natural resources in the Mobile  
20          County area. We feel that we're  
21          borrowing from our children and our  
22          grandchildren and we would like them  
23          to be there and to be healthy.

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1           Thank you, Mr. Chairman, for your  
2           time.

3           CHAIRMAN MOULTRIE: Thank you,  
4           Mr. Guilian.

5           Next I'd like to recognize our  
6           former Commissioner, Riley Smith.  
7           And I'd like to welcome Riley and  
8           bring Riley to the microphone now,  
9           please.

10          MR. SMITH: I've got something.  
11          Good morning everyone. Thank you for  
12          your time.

13          I am here representing the Mobile  
14          Chapter of the Coastal Conservation  
15          Association. Regarding the proposed  
16          permanent shrimp closure of the  
17          upper, western and some parts of the  
18          bay.

19          Closure implies that you're  
20          taking something away. I don't think  
21          we're taking anything away here. If  
22          at all, we're taking away an area  
23          that has been dragged for years. But

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1           what we're wanting -- what we're  
2           doing is we're attempting to save a  
3           habitat for the pinfish, for the  
4           juvenile pinfish, and for the shrimp.  
5           This is where they grow. This is  
6           where they -- they're -- they're  
7           going to come out -- we're not going  
8           to lose the fish. We're not going to  
9           lose the shrimp. They're ultimately  
10          coming out of this area bigger.  
11          They'll be worth more if this works.  
12          And it has been something that's been  
13          proposed to be studied.

14                 If this works then these grass  
15          beds will come back. It will better  
16          for, again the juvenile fish and the  
17          shrimp.

18                 It will be better for the  
19          crabbers because they'll have a place  
20          that they don't have any conflict  
21          with other folks.

22                 We support this. I support it.

23                 I think it's the thing to do. I

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1 don't think it's going to hurt anyone  
2 in anyway. And what's up there will  
3 come down the bay. The harvest will  
4 still be there.

5 And we urge you to consider this  
6 and pass it. Thank you.

7 CHAIRMAN MOULTRIE: Thank you.  
8 I'd like to call Mr. Marvett Johnson.

9 Mr. Johnson, is that Baldwin  
10 County? Where is your residence?

11 MR. JOHNSON: It's Bayou La  
12 Batre.

13 Yeah, I'm against the closure and  
14 the dredging. Because I just -- I  
15 don't think we need it there, you  
16 know.

17 Just -- it's just all been doing  
18 -- you know, we've all been doing  
19 that ever since I was ten years old,  
20 you know. I just don't think we need  
21 it.

22 That's all I got to say.

23 CHAIRMAN MOULTRIE: Thank you,

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1 Mr. Johnson.

2 The next speaker will be Mr.

3 Bobby Mathers.

4 MR. MATHERS: Good morning, sir.

5 I have some maps I'd like to hand to  
6 you. These maps are not properly --  
7 what we have here is -- I'm for  
8 keeping the Tensaw area open for the  
9 mom-and-pop shrimpers and the small  
10 boats.

11 I had pulled a ship channel along  
12 with these 55-foot boats and -- and  
13 it don't work. I've lost four nets  
14 this last year. We got a small side  
15 area that we can pull them in.

16 What you see there is a map that  
17 was proposed by conservation. And  
18 the one that's outlined in color is  
19 the one that I made up.

20 And we also have a map of the  
21 areas that was taken under water.  
22 And there's no grass beds in the  
23 Tensaw area. Tensaw is the upper

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1 part by the bridge, which is a small  
2 area, approximately 500 yards wide,  
3 approximately half a mile long. It  
4 runs back into Mobile River. And  
5 it's 17 to 30-foot deep. Water comes  
6 out from 2 miles an hour to 30 miles  
7 an hour.

8 And the by-catch, I've shrimped  
9 Dauphin Island each year when it's  
10 open. Dauphin Island, I have the  
11 same by-catch approximately. It's a  
12 little different-type fish than I do  
13 at the Tensaw area.

14 These other parts, we don't  
15 shrimp that much anyway to the east  
16 shore. Now, that's, as far as I'm  
17 concerned, that's a good closure  
18 because there are some grass patches  
19 in there.

20 But now, Tensaw -- I was pulled  
21 out of the Mobile River from the  
22 storm and I liked to have lost my  
23 wife and two grand-kids and myself.

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1           And it's happened before and it will  
2           happen again. So if you take away  
3           the Tensaw area from 78 north up  
4           around the curve, then you've taking  
5           away all of our resources to catch  
6           shrimp that we've been doing for  
7           years.

8           And we ask you, and I beg you to  
9           consider this as an open area.  
10          Anything east of there over to the  
11          Eastern Shore, that's a good idea.  
12          You have it on the map. I outlined a  
13          little bit of what's there.

14          And we want to thank you for  
15          considering this, for considering the  
16          reefs. We like to fish, too. I'm a  
17          fisherman. I love to fish. I  
18          retired from the University of South  
19          Alabama, and I enjoy fishing. I also  
20          make a little side money shrimping.  
21          And I have, and I need that and it's  
22          a great opportunity for all of us to  
23          do.

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1           We understand what the  
2           conservation is working for. Because  
3           we pay our taxes and we're a part of  
4           this state, as you are. And that's  
5           all we ask for. And we beg this.

6           And if you need any other  
7           information on this, we will be glad  
8           to supply it.

9           Otherwise, if all of this is  
10          closure, I'm sorry to say, sir, but  
11          we will have to keep on fighting for  
12          things that we think is right.

13          And the underwater map shows that  
14          there's no grass beds in Tensaw. We  
15          had a meeting the other night and  
16          we're pretty well agreed on this.

17          So, we-- I would appreciate the  
18          consideration of keeping this area  
19          open.

20          Thank you, sir.

21          CHAIRMAN MOULTRIE: Thank you,  
22          Mr. Mathers.

23          Next I'd like to call Mr. Dan

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1 Dumont.

2 MR. DUMONT: Thank you, Mr.  
3 Chairman.

4 I was the Executive Director of  
5 the Wildlife Federation for about  
6 seven years. And back during that  
7 time, in 1995 and '96, we began a big  
8 round of meetings to discuss this  
9 Upper Bay nursery closure.

10 The department asked that we  
11 delay any action on that back then.  
12 I was looking in my files and found  
13 articles that I'd written in the  
14 Alabama Wildlife magazine outlining  
15 the need for this.

16 I spent a 3-year term on the Gulf  
17 of Mexico Fishery Management Council  
18 in June of last year. I'm currently  
19 a member of the Shrimp Advisory Panel  
20 to the Gulf of Mexico Fishery Manage  
21 ment Council.

22 I really think this is a good  
23 idea. I'm here to support the

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1 department's recommendation.

2 This is the actual map that I had  
3 in those meetings in 1995 and '96  
4 with sort of wax marks on it. And,  
5 you know, this green line is one that  
6 we suggested in some meetings we had  
7 just a few months ago. But this is a  
8 result of work and negotiations that  
9 went on, you know, eight years ago  
10 and -- and later.

11 And this closely approximates the  
12 department's current regulation.  
13 They have some time to study it and I  
14 think the results of their studies as  
15 indicated, you know, that this is a  
16 necessary and beneficial act.

17 And I'd like to say that my map's  
18 getting a little long in the tooth  
19 and I hope you'll take action on this  
20 because I'm getting a little long in  
21 the tooth, too, and I may not be  
22 around another eight years to talk  
23 about this.

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1           But I'd like to give you this  
2           map, if I could. Thank you.

3           CHAIRMAN MOULTRIE: Thank you,  
4           Mr. Dumont.

5           Next to the microphone will be  
6           Mr. Edward Leatherbury.

7           MR. LEATHERBURY: Thank you, Mr.  
8           Chairman. My name is Edward  
9           Leatherbury. I'm from Mobile. I'm  
10          the State Chairman of CCA Alabama.  
11          We represent approximately 2400  
12          people in the state of Alabama.

13          I'm here today to express my  
14          concern with the Upper Bay closure  
15          and support of MRD's recommendations.  
16          The biologists have studied this and  
17          have determined this is what needs to  
18          be done. We fully support their  
19          actions. And also support their  
20          actions on the gill net  
21          recommendations that they have, also.  
22          Thank you.

23          CHAIRMAN MOULTRIE: Thank you,  
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1 Mr. Leatherbury.

2 The next speaker will be Mr. Bob  
3 Shipp. Dr. Bob Shipp, excuse me.

4 DR. SHIPP: Thank you, Mr.  
5 Chairman. My name is Bob Shipp and  
6 I'm chairman of the Department of  
7 Marine Sciences at the University of  
8 South Alabama. However, I'm speaking  
9 on my own behalf this morning as a  
10 fisheries biologist for 35 years  
11 experience and also nine years of  
12 service on the Gulf of Mexico,  
13 Fisheries Management Council.

14 I've got a written version of  
15 this but I'm going to cut it down to  
16 public testimony.

17 Our estuaries are required  
18 nursery habitats for about 90 percent  
19 of our economically important  
20 species, including redfish, speckled  
21 trout, sheepshead, flounder, croaker,  
22 black drum, mullet. Important forage  
23 species like anchovies, menhaden and

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1           pinfish. And shellfish, such as  
2           brown and white shrimp, blue crab,  
3           oysters and many, many others.  
4           Without this essential habitat, these  
5           species would not exist.

6                 For the last half century  
7           fisheries worldwide have been in  
8           decline. Of this, there is no doubt.

9                 Popular magazines, such as Time  
10          and highly scientific journals such  
11          as Science and Nature have featured  
12          this decline as cover stories.

13                However, when fishes are well  
14          managed they recover and they recover  
15          quickly. Effective management of  
16          marine fisheries in U.S. waters began  
17          in the late 1970s with the passage of  
18          Magnuson Act. And now, less than 30  
19          years later, we see remarkable  
20          recovery in most of the managed  
21          stocks.

22                However, one of the single  
23          greatest hurdles in stock recovery is

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1 reduction of by-catch of which shrimp  
2 trawling is the major cause.

3 The Magnuson Act includes 10  
4 National Standards, most dealing with  
5 safety, economics and allocation  
6 issues.

7 However, Standard 9 states:  
8 Conservation and management measures  
9 shall, to the extent practicable.

10 A) minimize by-catch; and,

11 B) to the extent by-catch cannot  
12 be avoided, minimize the mortality of  
13 such by-catch.

14 This is the law of the land.

15 This view was also echoed in the  
16 recent U.S. Commission on Ocean  
17 Policy before the President.

18 Now, we've all seen  
19 implementation of federal law:  
20 Turtle excluder devices, by-catch  
21 reduction devices, protection of  
22 endangered species.

23 From a biological perspective,

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1 closure of the entire Upper Bay from  
2 middle Bay light north, would likely  
3 be the minimum should the feds issue  
4 mandates. But we know what a short-  
5 term negative economic impact that  
6 would have on our fishermen, thus the  
7 proposal that MRD has put forward  
8 that would minimize this. And for  
9 this reason, I'm willing to support  
10 that proposal.

11 However, there are those who say  
12 "this is just the first step. Next  
13 time they'll want to close more." To  
14 them, I say "you're right." But the  
15 "they" won't be us. It'll be NOAA  
16 Fisheries and the federal government.

17 My view is the more we do as a  
18 state, the less likely we'll be  
19 subject to federal intervention.

20 Thank you.

21 CHAIRMAN MOULTRIE: Thank you,  
22 Dr. Shipp.

23 The next speaker will be William

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1 G. Ladnier.

2 MR. LADNIER: My name's William  
3 A., not William G. I'm William A. I  
4 don't have my glasses on. I'm  
5 opposing to all the dredging. This  
6 gentleman right here talking about  
7 this, that and the other. Dredging  
8 of the lower reefs or for any reason  
9 in the state of Alabama. I've been  
10 to Mississippi. I've dredged the  
11 Mississippi. I worked as a deckhand  
12 on a boat in Mississippi on a dredge  
13 boat. We sold oysters; I couldn't  
14 help it. I had to do what the  
15 captain said. But I will say this:  
16 The state of Alabama has lost a lot  
17 of oysters in the past. But this  
18 plan program they have is not  
19 bringing anything back. They plant  
20 rocks and it's five years to catch  
21 oysters and that's five years gone.  
22 They plant oysters there and two  
23 years later they're killing it,

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1           there's something coming down these  
2           rivers that's causing this. What it  
3           is, we need to find it out. It's not  
4           the oyster killing the reefs.  
5           There's no way you can kill an oyster  
6           reef by combing it because I've seen  
7           it. I had 28 drag boats on there in  
8           the '60s, toted several hundred  
9           barrels a piece; couldn't clean it  
10          up. Right now, we're on eight pack  
11          limit. The dredgers, our oysters  
12          have to be in a cooler by two  
13          o'clock. We have to shut down at  
14          12:00 and get an hour to get in the  
15          cooler by two o'clock. Dredge boats,  
16          they go down and they go all day, all  
17          week long, don't worry about them  
18          all. They keep them on their boat;  
19          don't matter. Something's got to be  
20          done. I mean, that's discriminating  
21          by making him leave the reefs by  
22          twelve o'clock and they stay as long  
23          as they want, seven days a week. We

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1           get to go five days a week. This is  
2           not right. I hate to see this man  
3           here go into office over there. I  
4           wish you'd sit on the boat, Mr.  
5           Jenkins.

6           That's about all I got to say. I  
7           know I got people here that don't  
8           like me. But I got one here that  
9           loves me; my wife is sitting back  
10          there. 39 years in October. We've  
11          been doing all right as long as the  
12          oysters stays the way they is. Don't  
13          let them take no reefs from us to  
14          dredge on. I'm not even -- I don't  
15          even want to plant beds. They don't  
16          pay taxes or nothing. That's not  
17          right. But I don't want to get into  
18          that, so I'm going to step down and  
19          let the next man talk, or lady, or  
20          whatever. But that's all I got to  
21          say.

22                 CHAIRMAN MOULTRIE: Thank you,  
23                 Mr. Ladnier.

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1           The next speaker will be Mr. Tim  
2           Gothard.

3           MR. GOTHARD: Good morning, Mr.  
4           Chairman, Members of the Board. I  
5           won't be redundant. If you'll just  
6           look at the proposed recommendation  
7           by MRD regarding the no trawl zone.  
8           We think it's a good idea. We think  
9           it's good for the resource. The beds  
10          are very important. And shrimp and  
11          the pinfish in those areas are very  
12          important. And we think the  
13          recommendation of the department is a  
14          good recommendation and we support  
15          it.

16          CHAIRMAN MOULTRIE: Thank you  
17          very much.

18          The next speaker is Tony  
19          Landenwich.

20          MR. LANDENWICH: My name is Tony  
21          Landenwich. I live in Baldwin  
22          County. I'd like to address two  
23          things real quick here this morning.

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1           One, is the proposed antler  
2           restrictions. It's been our  
3           understanding that the more rules and  
4           more regulations we put on hunters is  
5           the opportunity for us to lose  
6           hunters. What I'm proposing is that  
7           we not overburden the hunters with  
8           new regulations and we try to make  
9           that experience as easy as we can.  
10          For the number of deer that we have  
11          available in the state and the  
12          decline in hunting populations, I  
13          think we need to advance that rather  
14          than try to restrict that issue.

15                The other one has to do with  
16          decoys of turkeys. The NRA and  
17          Hunter Association and the Department  
18          of Conservation is teaching hunters  
19          new hunting skills. We're teaching  
20          hunters to enjoy the woods with great  
21          skills. By adding the decoy part to  
22          the turkey, you kind of reduce or  
23          eliminate that a little bit. And

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1           instead of teaching the hunter real  
2           skills, we're going to teach them  
3           decoy placement. We're probably  
4           better off teaching skills as  
5           compared to teaching how to put a  
6           decoy out in the woods.

7           That's all I have. Thank you.

8           CHAIRMAN MOULTRIE: Thank you.

9           The next speaker will be Mr. Jeff  
10          Goodson.

11          Mr. Goodson, are you here?

12

13          (No verbal response.)

14

15          CHAIRMAN MOULTRIE: Robin, we  
16          will pass Mr. Goodson.

17          The next speaker will be Joseph  
18          Centanni.

19          MR. CENTANNI: Good morning. How  
20          are you doing?

21          CHAIRMAN MOULTRIE: Good morning.

22          MR. CENTANNI: I've shrimped the  
23          Upper Bay -- this is about the shrimp

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1 closure. I've shrimped the Upper Bay  
2 for maybe -- pretty soon, 30 years.  
3 And I've shrimped in a small boat.  
4 We'd get off from work and go shrimp  
5 most of the night.

6 And of all the years that I've  
7 shrimped, I've never shrimped up here  
8 in this proposed -- this proposed  
9 closure up here. I have shrimped the  
10 deep channels.

11 One time I went over here around  
12 the cove, but I got so much coal dust  
13 in my net I didn't go back.

14 So I progressed up to, say, a 28-  
15 foot boat. And I don't see any  
16 reason to have this closure. If you  
17 close this waters, it's not going to  
18 make any difference on the pinfish  
19 because there's no trawling going on  
20 there anyway.

21 And as far as grass beds, you  
22 pull a trawl in a grass bed and see  
23 what happens to you, or you can go

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1           around them.

2                   And by-catch, you take a small  
3           boat and get a load of menhaden this  
4           big, you know, and you try to pick up  
5           a few shrimp out of it. When you get  
6           a load of fish in a net, it stops the  
7           net up. It produces a wall of water.

8                   Believe it or not, if you're  
9           pulling a trawl, them fish are  
10          swimming around in that bag down  
11          there. You put more water in a trawl  
12          than you can get out of it. I built  
13          trawls.

14                  So, a lot of this is unnecessary,  
15          you know. And you keep talking about  
16          documentation. I keep hearing "well,  
17          we believe the biologists." That's  
18          what we heard in the meeting the  
19          other day. But, yet, has any  
20          information been published? Have  
21          y'all been presented with any  
22          information from the biologists? Any  
23          study?

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1           I read something in the newspaper  
2           based on as long as we kept these  
3           waters closed. Well, if they keep  
4           waters closing past the 68 county,  
5           they're in violation there. They  
6           need to open the waters up. I think  
7           we had a little incident last year  
8           that proved that. We have got small  
9           shrimp and yet they had big shrimp.  
10          So there's a lot more to this than  
11          protecting pinfish, stuff like that.

12                 I suspect there's more fishermen  
13          up in those waters. If we're going  
14          to close some of it, let's close it  
15          to everything. Let's keep our boys  
16          out of the grass beds. I used to  
17          float around on Sunday afternoon in  
18          John's Bend with grass beds and cast  
19          over them, but the hurricane killed  
20          all of that.

21                 Also, the grass beds above the  
22          causeway, somebody needs to inspect  
23          those. There's problems with them up

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1           there.

2                   And, let's see. What else do we  
3           have here? Maybe the reason you  
4           people don't even attempt to shrimp  
5           up there is because of the grass  
6           beds. My by-catch has always been  
7           great at Dauphin Island.

8                   In the fall of the year -- oh, by  
9           the way, these waters are only open  
10          maybe two and a half months a year.  
11          And we only shrimp in deep waters,  
12          like Mr. Mathers proposed, right  
13          there. And, you know, it's a shame  
14          we're having this meeting. We could  
15          have been protecting this area  
16          against pin -- or pinfish and all of  
17          this other kind of stuff for 13 years  
18          now. Because one of the last  
19          Commissioners had a meeting down here  
20          suggested we meet with the GCCA, Mr.  
21          Dumont, at Dauphin Island. We did  
22          that. We made an agreement very  
23          similar to this agreement right here.

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1           At the meeting the other night, Mr.  
2           Dumont said he still had that map.  
3           So we've already had this agreement  
4           13 years ago, or approximately 12  
5           years ago. An article in the  
6           newspaper signed by Mr. Dumont and  
7           all of that. So we've already had  
8           this agreement. Yet we got to get an  
9           agreement again? So, I think the  
10          GCCA then hasn't stuck by their  
11          agreement. They could have been  
12          protecting these fish for 13 years.  
13          Why all of a sudden do they think  
14          they've got to protect them now?

15                 MS. NUMMY: You've got to wrap it  
16          up.

17                 MR. CENTANNI: Do what?

18                 MS. NUMMY: You've got to wrap it  
19          up.

20                 MR. CENTANNI: Okay.

21                 CHAIRMAN MOULTRIE: Thank you,  
22          sir.

23                 MS. NUMMY: If you don't know, I

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1           time everybody. We've got about 52  
2           speakers. It's not that I want to  
3           interrupt anyone. But I will give  
4           you a minute to wrap it up. It's not  
5           to be impolite, it's just so we won't  
6           be here until six o'clock tonight.

7                   CHAIRMAN MOULTRIE: The next  
8           speaker will be Mr. David Yeager.

9                   MR. YEAGER: Good morning, Mr.  
10          Chairman. I'm David Yeager with the  
11          Mobile Bay National Estuary Program.  
12          As you all know, some months ago  
13          Mobile Bay Estuary Program was  
14          requested to facilitate discussions  
15          on this no trawl area establishment  
16          in portions of Mobile Bay and  
17          Mississippi Sound, Grand Bay. Areas  
18          where trawling would be restricted  
19          year around.

20                 Now, conservation interests and  
21          many scientists believe that the  
22          establishment of such zones would  
23          protect habitat and grass beds and

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1 juvenile pinfish through the  
2 reduction of by-catch. And some  
3 believe that they would allow smaller  
4 commercially-caught species to grow  
5 to a more economic size.

6 Commercial interest, on the other  
7 hand, and some recreational shrimpers  
8 view these establishments and such  
9 zones as a further regulation on an  
10 already strained resource.

11 Some see the no trawl zones as a  
12 direct threat to their business  
13 livelihoods.

14 Since late February, we've been  
15 working with both sides on this issue  
16 trying to develop, compromise our  
17 community position. Various  
18 proposals for area closures have been  
19 circulated back and forth to each  
20 group.

21 Some of the maps that you see in  
22 the conservation recommendations, MRD  
23 recommendations state representing

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1           some of those groups.

2           However, to date, no agreement  
3           has been reached on an acceptable  
4           area of closure.

5           The Charter provided to me by my  
6           organization and that has members of  
7           all parts of the community, both from  
8           the commercial side and from the  
9           recreational side, from business and  
10          industry; you name it. To advocate a  
11          position only if it is a community  
12          position, I cannot today advocate any  
13          particular position because of that.

14          Does this mean that there's no  
15          opportunity for further discussion?  
16          No. I think -- I don't think so at  
17          all. In individual discussions, we  
18          have found a willingness in some  
19          areas to compromise on particular  
20          areas.

21          In other cases, we have seen  
22          people remain adamant that no  
23          closures should be -- should be made.

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1           Nevertheless, continued dialog on  
2           the state of our natural resources is  
3           absolutely imperative.

4           As Dr. Shipp noted, this is a  
5           local issue. But is the question  
6           surrounding it very much like the  
7           issues surrounding local fisheries  
8           issue? Who's right? What's the  
9           science behind it? What are the  
10          costs on economic impacts associated  
11          with various fishery management  
12          decisions?

13          Given the differences on views,  
14          whether or not such no trawl zones  
15          would be effective, what is the  
16          bottom line? Most of us not actively  
17          involved in fishery science and  
18          fisheries management do not know the  
19          answer to that question. It's like  
20          someone once told me, it's very  
21          difficult to know exactly what time  
22          it is if you've got more than one  
23          watch.

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1           The real question we face is how  
2           best to manage a sustainable and  
3           thriving fishery without destruction  
4           of our industry or recreational  
5           opportunities. It's not a question  
6           of when. That's already been  
7           established. Even if you choose not  
8           to rely on one particular watch as  
9           your data, we must ensure the actions  
10          we take today, use the best available  
11          science while we work to improve that  
12          body of knowledge.

13          And as you deliberate today, I  
14          just leave you with a quote from  
15          Abraham Lincoln that's been a  
16          favorite of mine on subjects like  
17          this: "There are few things wholly  
18          evil or wholly good. Almost  
19          everything, especially public policy,  
20          is an inseparable compound of the  
21          two; so that our best judgment of the  
22          preponderance between them is  
23          continually demanded." Thank you.

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1                   CHAIRMAN MOULTRIE: Thank you.

2                   The next speaker will Mr. Ed  
3                   Williamson.

4                   MR. WILLIAMS: Mr. Commissioner,  
5                   Mr. Chairman, Members of the Board,  
6                   Ladies and Gentlemen. I represent  
7                   Coastal Conservation Association of  
8                   Alabama. My name is Ed Williamson.  
9                   I'm from Mobile.

10                  CCA. Coastal Conversation  
11                  Association is a membership  
12                  organization of about 90,000 men and  
13                  women of the costal states most of  
14                  whom reside on the Gulf Coast. The  
15                  CCA is an organization that's based  
16                  on listening to sound marine science,  
17                  good conservation science. And using  
18                  that common sense and what makes  
19                  sense in good judgment. They help  
20                  pass regulations and enforce those  
21                  regulations to support the marine  
22                  resource. We are an advocate for the  
23                  resource.

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1           I'm speaking here today on behalf  
2           of the resource. I don't want to be  
3           redundant, but I would like to  
4           comment and net out, if you will, the  
5           three main reasons why CCA has thrown  
6           its hat in the ring on that issue.

7           Good conservation marine science  
8           tells us that shrimp trawling in the  
9           shallow waters, six and a half feet  
10          or so inward, does irreparable damage  
11          to the grass beds that we've been  
12          trying to nurture as nursery ground  
13          for 40 years in Mobile Bay. I've  
14          been working with this off and on for  
15          my entire lifetime as I've watched  
16          those grass beds be destroyed  
17          while -- for the shrimp and the crab  
18          and the pinfish that we enjoy so much  
19          in this little piece of real estate  
20          that goes from the Florida line to  
21          the Mississippi line. This is an  
22          incomparable value piece of real  
23          estate.

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1            Mobile Bay is the nursery ground.  
2            Destroying those grass beds means  
3            destruction to the species that live  
4            there. Part of that is the by-catch  
5            mortality. By-catch is a fact. It's  
6            good marine science. There's too  
7            much mortality in by-catch. Those  
8            little pinfish and crab that use that  
9            area as a nursing ground.

10           Third, the economic value of the  
11           shrimp that comes from that shallow  
12           water is minimum. I eat shrimp once  
13           a week. Probably a lot of you here  
14           do, too. And I enjoy some of the  
15           finest I've ever had. The Johnson  
16           family who is up here today catches  
17           in the ship channel in Mobile Bay  
18           some of the finest shrimp that exist  
19           come from that area. And I strongly  
20           recommend that those shrimpers  
21           continue to drag that area in that  
22           deep of water.

23           What we're asking is you stay out

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1 of the shallow water. It's too  
2 important as a nursery ground.

3 May I just reiterate three strong  
4 common sense points: If the grass  
5 beds are destroyed, the shrimp in  
6 that shallow water. The by-catch is  
7 too great. The mortality on the  
8 by-catch is too great. To consider  
9 it valuable. The economic value of  
10 those shrimp that come from that  
11 shallow water is negligible.

12 Those shrimp are going to grow  
13 up. They're going to move to deeper  
14 water. Catch them out there in the  
15 deep water where they have greater  
16 economic value and everybody can  
17 enjoy them.

18 About 2,500 CCA members in  
19 Alabama are solidly behind this  
20 issue.

21 Where we've spoken in the past  
22 since 1980 on the regulatory issues,  
23 we've had great success. We're

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1           enjoying wonderful success on it.  
2           Everything from speckled trout to red  
3           snapper. This makes good common  
4           sense, good conservation sense, good  
5           marine science sense. And we  
6           strongly urge that you pass this  
7           closure.

8           Thank you very much.

9           CHAIRMAN MOULTRIE: Thank you.  
10          The next speaker will be Greg  
11          Leatherbury.

12          MR. LEATHERBURY: Thank you, Mr.  
13          Chairman. My name is Greg  
14          Leatherbury and I'm a resident of  
15          Baldwin County. I'm a member of CCA.  
16          Mr. Dumont and I and others helped  
17          form the Alabama Chapter of CCA back  
18          in 1981 or '82. We've been actively  
19          involved in conservation of marine  
20          resources and protection of our  
21          habitat and environment. A lot of  
22          study has gone into this matter over  
23          many, many years. We've heard all of

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1           the previous people talk to those  
2           issues. We have competing interests,  
3           obviously. And y'all are in charge  
4           of management of our resources. I  
5           know that the decisions that you all  
6           have to make sometimes are very  
7           difficult. I think you all have done  
8           a good job. I commend you.

9           A lot of study has gone into this  
10          and I urge you to adopt this marine  
11          resources division recommendation.  
12          Thank you.

13          CHAIRMAN MOULTRIE: Thank you,  
14          Mr. Leatherbury.

15          The next speaker is Mr. Walter  
16          Ernest.

17          MR. ERNEST: Thank you, Mr.  
18          Chairman. I'm representing the  
19          Alabama Coastal Foundation today. We  
20          support the no trawl zone for several  
21          reasons. The Alabama Coastal  
22          Foundation, one of our main emphasis  
23          is on water quality. And this ban

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1 will improve water quality. It will  
2 also allow us to, as we point out  
3 today, what the SA needs from that.  
4 Another thing it will do, as you've  
5 been pointed out, is to increase the  
6 pinfish population and allow the  
7 juvenile shrimp to achieve adult  
8 size.

9 That's all about all I have to  
10 say. We do support this measure and  
11 I thank you for allowing me to speak.

12 CHAIRMAN MOULTRIE: Thank you.  
13 The next speaker will be Mr. Ernie  
14 Anderson.

15 MR. ANDERSON: Thank you. I'm  
16 Ernie Anderson from Mobile County.  
17 I'm currently the president of  
18 Organized Seafood Association. I'm  
19 past director of the Southern Shrimp  
20 Alliance. I'm also representing  
21 Alabama on a diesel marketing board  
22 for Alabama and for American Wild  
23 Shrimp. This issue was brought forth

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1           a few months ago and was laid down on  
2           the table. There was a meeting held  
3           where Mr. Yeager was asked about the  
4           proposal. The proposal had a rather  
5           large amount of the Upper Bay from  
6           Dog River all the way across to the  
7           Eastern Shore. And we came to that  
8           meeting. We looked at it. There was  
9           some discussion. We made it clear  
10          that we were not -- I'm not in a  
11          position today to advocate or say  
12          what the shrimp industry would agree  
13          on or would not agree on. My  
14          position was I was trying to bring  
15          together some folks from the  
16          shrimping industry to participate in  
17          these meetings that Mr. Yeager asked  
18          us to do and brought before the board  
19          a few months ago. And we've done it  
20          and put it on the table after that  
21          first meeting -- there was a lot of  
22          discussion today about biologists,  
23          about data, about information. We've

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1           been at several meetings where they  
2           were discussing it. We've asked the  
3           industry and those folks representing  
4           the industry at that meeting, asked  
5           for that data, put it on the table,  
6           let us look, let's see what you have.  
7           Nothing was put down but in  
8           generalities.

9           It would be a good thing and we  
10          believe it's a good thing. You know,  
11          there's data supporting it. But none  
12          of it has been put on the table.

13          We had a -- we called for a  
14          public hearing, organization met back  
15          on February 26th. We had  
16          approximately 130 plus shrimpers and  
17          seafood industry folks meet from  
18          Bayou La Batre. They asked, I think  
19          it was eight or ten representatives,  
20          people and folks representing it and  
21          we opened some discussion. I believe  
22          you might have gotten some letters  
23          and correspondence from some of those

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1           folks that met with Mr. Yeager at  
2           some meetings.

3                   And each time there's been --  
4           there's been some discussion about  
5           what -- what areas would affect the  
6           livelihoods. That's the first thing.  
7           What their livelihood -- what would  
8           effect the livelihood. And is there  
9           any data. Again, like I say, there  
10          was never any data put on the table.

11                   So there was some discussion at  
12          those meetings about that maybe we --  
13          it would be a small area. And there  
14          needs to be some study -- there needs  
15          to be some accurate data put down  
16          before we actually effect the  
17          livelihood of people in closures in  
18          those areas.

19                   And if it does effect and create  
20          increased production and cost. You  
21          know, that's not something I don't  
22          think anybody would be again it. I  
23          know the shrimpers especially at this

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1           time have spent millions of dollars  
2           right now doing studying, marketing,  
3           trying to find ways to increase the  
4           industry. Not only that, but  
5           Alabama, I spoke before, about how  
6           the industry effects Alabama and the  
7           amount of money that is there.

8           But also, you know, there is --  
9           there was a discussion about the  
10          Magnuson/Stevenson Act. Okay. I  
11          understand that there was a lower  
12          court ruling that was upheld by a  
13          higher appellate court ruling that  
14          the word "practical" is in there.  
15          And "practical" was ruled by the  
16          appellate court ruling not to include  
17          closure. Closure was not practical.  
18          There's not a practical solution to  
19          by-catch reduction.

20          There's a lot of other avenues to  
21          take. But it's not there. You know,  
22          it's not being presented.

23          The other issues I recently

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1           understood that this was brought  
2           up --

3           MS. NUMMY: I'll give you one  
4           more minute.

5           MR. ANDERSON: Thank you. It was  
6           brought up that this was -- this was  
7           a two-year process. Over that two  
8           years anyone from the industry was  
9           brought in, up until just this recent  
10          -- just prior to the -- the last  
11          meeting. And I think that -- and I  
12          suggested that if we had an  
13          opportunity to bring the industry  
14          together, which we done at the last  
15          meeting the other night after our  
16          meeting; it was a good meeting. I  
17          looked around, there was folks from  
18          the shrimp industry, people were  
19          discussing, having some discussion.  
20          But they haven't had that input.  
21          There's four generations of knowledge  
22          in the seafood industry in Alabama.  
23          And they should have the input into

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1           this before any decision between --  
2           has been made or is made by you all.

3           I just don't think that a closure  
4           today would be practical. Thank you.

5           CHAIRMAN MOULTRIE: Thank you,  
6           Mr. Anderson. The next speaker will  
7           be Mr. Eugene Johnson.

8           MR. JOHNSON: I'm Eugene Johnson.  
9           I'm from Bayou La Batre, Alabama.  
10          I'm a Mobile County resident. And  
11          I'm here on behalf of the seafood  
12          industry on both oysters, shrimping,  
13          crabbers, fishing. I made a living  
14          on it. I'm 60 years old. I got 45  
15          years of shrimping behind me. I  
16          built my own nets. I've drug for  
17          shrimp from Brownsville, Texas to  
18          Cape Canaveral, Florida over to  
19          Jacksonville, Florida. I drug shrimp  
20          nets from Cape Coze, Mexico, from  
21          Mobile Bay to Mississippi. And if  
22          the grass beds and all are not  
23          destroyed, they come every year.

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1           I'll start in Grand Bay. When I  
2           was nine or ten years old, I helped  
3           plant oyster shell with Mr. William  
4           Schneider.

5           I'm nervous, I never spoke  
6           before.

7           CHAIRMAN MOULTRIE: You're doing  
8           fine.

9           MR. JOHNSON: I started off  
10          planting oyster shells when I was  
11          nine years old with Mr. William  
12          Schneider. He would be a 100 and  
13          some years old today if he were still  
14          around. And we had grass beds over  
15          there then. We still have grass  
16          beds. Grass beds accumulate during  
17          the winter months. When we go  
18          oystering, the grass beds accumulate  
19          in the winter months. The shrimp  
20          feed off of these speckled trout.  
21          The by-catch, the government's going  
22          to take care of that. The State of  
23          Alabama ain't got to take care of

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1           that. The government's taking care  
2           of that. They got the feds on us.  
3           The government's taking care of your  
4           by-catch on fish lines. All right.

5           Mobile Bay. I shrimp the channel  
6           with by daddy when all we had was a  
7           25-gallon jug with water, no  
8           electronics, none of that. We drug  
9           the grass beds -- the grass beds  
10          accumulate in the winter months for  
11          the seafood to eat. Provide shrimp  
12          to feed on, the pinfish feed on that  
13          and it -- it breaks loose and moves  
14          on out in the summer months.

15          And as far as the oysters, I  
16          caught oysters with my daddy when  
17          we'd catch pickup truck loads. Not  
18          ten or eight sacks, it was pickup  
19          truck loads.

20          And the ones that's for dredging,  
21          I was born and raised with every one  
22          of them. I'm against that because  
23          dredging -- if you legalize dredging

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1           in the state of Alabama, you're going  
2           to destroy the industry. We're here  
3           to protect the industry, not destroy  
4           it. If people allow dredging in the  
5           state of Alabama, you're going to  
6           destroy the oyster industry.

7           I worked on tug boats up in  
8           Mobile Bay. Ideal Seafood Company.  
9           Radcliff Seafood Company. They're  
10          destroying Mobile Bay. They dig the  
11          shells and pump the mud on oysters  
12          and when they die they're going -- I  
13          used to sit out there with my pocket  
14          knife and eat them. I was fishing  
15          when I was 15 years old. I got 45  
16          years of seafood work behind my belt.  
17          And I thank y'all for listening to  
18          me. But I'm against everything they  
19          proposing on it and it's taking more  
20          food away from us and it's not going  
21          to help us, the recreational area,  
22          and it's not helping the commercial  
23          man whatsoever. I'm against it.

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1 Thank y'all for listening.

2 CHAIRMAN MOULTRIE: Thank you,  
3 Mr. Johnson.

4 The next speaker will be James  
5 Nowell.

6 MR. NOWELL: My name is James  
7 Nowell. And I've been a commercial  
8 fisherman over 40 years at Mobile  
9 Bay. I've been dragging Mobile Bay.  
10 And I'm against any closure of Mobile  
11 Bay.

12 To start with, you're worried  
13 about by-catch. As many boats that's  
14 going out of business, it's taking  
15 care of itself. You ain't going to  
16 have half the people out there.  
17 Every year, it's getting less and  
18 less. People can't make a living  
19 anymore. By-catch like that will  
20 take care of itself.

21 If you're worried about grass  
22 beds -- which they're not worried  
23 about grass beds, that's just an

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1           excuse. They're worried about grass  
2           beds, then go up here and get all  
3           these chemical companies, all these  
4           sewages. Every year -- I mean, every  
5           week millions of gallons are dumped  
6           in Mobile Bay. Sewage. Nothing ever  
7           said about it. A little article in  
8           the paper. Millions of gallons. Why  
9           don't they do something about that if  
10          they're worried about grass? That's  
11          just a front is all that is: Grass.

12                 We had a meeting here and we had  
13           three or four proposals. Which one  
14           of these proposals are y'all talking  
15           about, you know, closure? We've had  
16           three or four people that  
17           proposed where y'all are talking  
18           about?

19                 CHAIRMAN MOULTRIE: We will  
20           present that later in the meeting  
21           today.

22                 MR. NOWELL: Okay. Like I said,  
23           I've been shrimping for 40 years.

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1           These people that's testified up here  
2           seem to know where the big shrimp and  
3           stuff is, I'd like to hire some of  
4           them to go to work for me. I mean,  
5           they seem to know more about  
6           something than what we do. I'd like  
7           to hire them on my boat. I really  
8           would.

9           And the oyster beds -- and I  
10          don't dredge oysters. I don't tongue  
11          oysters. I'm not man enough to  
12          tongue oysters. But I'm going to  
13          tell you, I know a bunch of people  
14          that does and they're dead set  
15          against this dredging, the majority  
16          are. You don't want to pass no  
17          dredging laws in Alabama from what I  
18          understand. But this by-catch, like  
19          I told you and the big shrimp,  
20          they're in shallow waters as well as  
21          they're in deep waters. Surely they  
22          got enough sense to know that fish  
23          and shrimp swim, you know; I hope

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1           they do. If they don't know that  
2           they swim, they don't need to be up  
3           here talking. All right. I'm dead  
4           set against any closure. Thank you.

5           CHAIRMAN MOULTRIE: The next  
6           speaker will be Bill either Jaechter  
7           or Haechter. Is Mr. Jaechter here?  
8           It's either Mr. H-a-e or either  
9           J-a-e-c-h-t-e-r.

10          MS. NUMMY: He had to go.

11          CHAIRMAN MOULTRIE: The next  
12          speaker then is Mr. Harry Johnson.

13          MR. JOHNSON: I appreciate it.  
14          I'm also against the oyster dredging  
15          out in Mobile Bay. All they do is  
16          ruin them. I've oyster dredged in  
17          Louisiana and I've oyster dredged  
18          with a lot of people. I've worked on  
19          dredge boats and it's just -- you  
20          kill the reefs. Dredge tears the  
21          channels up and the next thing you  
22          know your oysters die on you.

23          And as far as the fishing, I

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1 don't know nothing about that. I  
2 don't fish. All I do is catch  
3 oysters with my daddy. I've been  
4 catching oysters with my daddy all my  
5 lifetime and they're getting worser  
6 and harder to catch than what they  
7 used to be.

8 I remember we used to go out and  
9 -- like the guy said, in boats, 40,  
10 50 sacks in less than three and a  
11 half, four hours just about. And now  
12 when you go out, you're lucky to get  
13 eight sacks in a day's time. From  
14 six o'clock in the morning or seven  
15 o'clock in the morning to 3:00 in the  
16 evening, you're going to be lucky if  
17 you get eight sacks out there.  
18 That's how bad it's getting. If they  
19 put the dredges in there, they're  
20 going to ruin the reefs is what  
21 they're going to do.

22 That's all I got to say.

23 CHAIRMAN MOULTRIE: The next

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1 speaker will Mr. Avery Bates.

2 MR. BATES: My name is Avery  
3 Bates. I'm from Mobile County and  
4 I've lived in Irvington the last ten  
5 years, Bayou La Batre most all of my  
6 life.

7 I'm a commercial fishermen. And  
8 we and -- there's been many problems  
9 over the years fighting special  
10 interest and this is just another  
11 time. And we're against the dredging  
12 for various reasons. We're against  
13 the shrimping closures for various  
14 reasons.

15 And as far as biological reasons,  
16 the dredging can destroy the  
17 mechanical workings; marine. Mostly  
18 it's soft bottom. You've got some  
19 small area of hard bottom. It would  
20 just create an enforcement nightmare.  
21 The grass beds that they're worried  
22 about, if they're really worried  
23 about grass beds, it would take 1800

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1 feet that they're allowed being  
2 dredged and -- a dredge that may  
3 weigh in excess of a hundred pounds,  
4 that force can destroy or hurt grass  
5 beds. A 100 pound dredge is digging  
6 six inches under the bottom. What  
7 would that do to a grass bed? Nobody  
8 said anything about that. Why?  
9 Special interest.

10 We know beyond a shadow of a  
11 doubt that dredging in the state of  
12 Alabama in the past has not been  
13 profitable. That's how come our  
14 forefather's knocked it in the head.  
15 And the fact that the dredge in here  
16 -- they say it's a new experience.  
17 There's nothing new about it; it's  
18 been going on for generations. We  
19 know they'll destroy it. That's the  
20 reason our forefathers said no to it.  
21 That's the reason we say no to it.

22 As far as dredging bottoms in  
23 Mobile Bay, another special interest

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1           thing. They talk about habitat.  
2           Man, everywhere you look there's oil  
3           fish reef. That's habitat. There's  
4           oil pumps -- oil company with oil in  
5           it. That's habitat. You can't drag  
6           -- you can't drag on a natural reef.  
7           That's already documented. We've got  
8           numerous reefs now that has got  
9           concrete pilings or concrete culverts  
10          around it. And total waste of our  
11          shell resource, we've had 10,000  
12          yards of shell on a reef in 1998 and  
13          do you know how many oysters that's  
14          produced so far? Zero. 20,000  
15          oysters outside Bouey Reef out of  
16          what you call fish -- and -- and  
17          shell. Do you know how many oysters  
18          that produced back in '98? Zero.  
19          And some on what you call the Boykin  
20          Smith Reef. The Lynn Boykin Smith, a  
21          few back years. Do you know how many  
22          oysters that produced? Zero. When  
23          you consider all the zeros that we

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1           had in 2001, we had oyster shells  
2           even being planted around the south  
3           end of Dauphin Island around the  
4           pumping station at night and it was  
5           too hard to load the shells from  
6           around that and that area never  
7           produced; never has produced. The  
8           shells that was supposed to have been  
9           on the reef went around this area.  
10          Special interest seems to be slipping  
11          in and getting what they want. Guess  
12          what the 10,000 yards of coral went  
13          in and out of Mobile Bay. And they  
14          come back hey, them suckers are  
15          planted out there. They're supposed  
16          to bring in oysters out there. Some  
17          of that concrete is as big as  
18          baseballs -- as basketballs and some  
19          as big as bowling balls. You can't  
20          haul them. Have you ever tried to  
21          haul a concrete block -- that's  
22          bigger than a concrete block, it's  
23          impossible. What are you doing with

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1           this stuff? Making fishing reefs.  
2           Fishing reefs -- you can't drag on a  
3           fishing reef. It will go through it;  
4           you will your chains out. This is  
5           about special interest running you  
6           out. 98 percent of our seafood comes  
7           from our estuaries. We're concerned  
8           about estuaries. I bought all my  
9           clothes with commercial fishing  
10          money. So did all of these other  
11          people talking here. They don't want  
12          to see dredging. They don't want to  
13          see the bottom closed. Who are you  
14          going to put out of business? They  
15          talk about shallow water shrimping,  
16          these shrimp areas that they opened  
17          last year, the shrimp's too small.  
18          The smallest shrimp they found in any  
19          area, according to the conservation  
20          officer that I talked to, was 26/30s.  
21          This has been going on for year,  
22          after year, after year. And 26/30s,  
23          a legal count is 68. Some of these

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1            areas are 15/20s. Do you realize it  
2            only takes one day for shrimp to drop  
3            out of the bay, it hits the tide, one  
4            day hits the Gulf. Why? If you have  
5            a low pressure area move through,  
6            pow, they pass through. Do you know  
7            how fast the current moves? I heard  
8            a fellah say it moves 20 miles an  
9            hour to Tensaw, you can't even drag  
10           against it. Do you know what that  
11           shrimp does? He gets under the  
12           water, and boom, he hits the Gulf.  
13           Do you know what the shrimper gets?  
14           Zero. In other words, no money in  
15           his back pocket. No food on the  
16           table. What about all the  
17           restaurants here that depend on our  
18           seafood? All the people that eat  
19           them? We produced in the last 100  
20           years just on oysters alone,  
21           documented record, over a million  
22           pound of oysters, but we have put  
23           down on oysters, down on shrimp.

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1           Why? We have people that don't want  
2           us to work in these areas and they're  
3           running us out of the bay. And we  
4           have a patrol that won't even mark  
5           the proper size shrimp. The  
6           biologists are just fooling around,  
7           something is wrong. In other words,  
8           you have data that is not correct.  
9           When you have incorrect data, y'all  
10          are getting fed the wrong data. Many  
11          of these biologists that stand up  
12          here, where do they come from? Some  
13          of them used to be executive director  
14          for the CCA. Had nothing wrong with  
15          fishing, had nothing wrong with the  
16          CCA. But what happens to me when the  
17          CCA or another special interest wants  
18          to push me or my family or my city or  
19          the people in my town out of the  
20          waters just because there's a certain  
21          class of people, something's wrong.  
22          You know, we have a constitution in  
23          this state that says that you, as a

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1 government, deprive us of our liberty  
2 and our freedom and our property,  
3 something's wrong. We have the right  
4 to change it. I was given this  
5 awhile back. It say in the last  
6 meeting, March 6th, said: "I don't  
7 know nothing about dredging but I  
8 think it's a good idea." Well, I  
9 know something about it and it's  
10 wrong. And I think if y'all want to  
11 hear something true, listen to the  
12 people that know what's going on  
13 about the shrimp, the fish, the  
14 oysters and the crab. The people  
15 that's doing it for a living. Don't  
16 put us out of business just because  
17 the special interest group wants  
18 their own way. Listen to your true  
19 biology, not false biology. Jus like  
20 the last 20 years, half of Bayou La  
21 Batre closed to oystering violating  
22 the Clean Water Act, also violating  
23 State Law 335-6-10-4. That's been

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1 going on. Nothing's been said.

2 Something's wrong.

3 How many minutes?

4 MS. NUMMY: Wrap it up.

5 MR. BATES: This is what's going  
6 on. Special interest groups.  
7 They'll file suit against this one or  
8 that one. But the way it really  
9 affects the commercial fishermen,  
10 runs 200 people out of work; nothing  
11 said. We can't even touch oysters in  
12 half of Dauphin Island Bay for 20  
13 years. But the law and federal law  
14 says in 1975 once an area is  
15 designated shellfish oysters must be  
16 maintained shellfish oysters and it  
17 is not. ADEM has failed to do their  
18 job. We don't need any conservation  
19 to fail to do their job. And as part  
20 of the law 94 paragraph B "you must  
21 do what's in the best interest of the  
22 seafood industry."

23 MS. NUMMY: Okay.

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1           CHAIRMAN MOULTRIE: I'd like to  
2           hear your closure. Go ahead and  
3           finish. I'd like to hear your  
4           closure.

5           MR. BATES: In fact, sir, I would  
6           like to see a panel just like this.  
7           If we're going to have a government  
8           that hears our complaints, if we have  
9           113 oystermen file a complaint  
10          against what the shells are being  
11          planted -- and by the way, some  
12          oystermen have come to me and said  
13          "let's go get on the boat and throw  
14          them people overboard that's wasting  
15          our shells."

16          "You can't do that. That's  
17          against the law." But I said, "but  
18          let's go use the law and file a  
19          complaint." We did. You know what  
20          happened? Nothing.

21          We filed a complaint against the  
22          dredging. 354 signatures against the  
23          dredging in the state of Alabama.

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1           And we petitioned as a part of  
2           Amendment I of our constitution. We  
3           have a right to file a petition when  
4           somebody hurts you. Guess what  
5           happened? Nothing. Here we are  
6           talking dredging. Here we are  
7           talking about protecting grass beds.  
8           It's not about that. It's about  
9           running the commercial fishermen out  
10          of business. And our state  
11          constitution, we're going to lose our  
12          liberty because special interest is  
13          trying to run us out of business, not  
14          because of anything biologically,  
15          because -- there's no shortage of  
16          pinfish. There is no shortage of  
17          pinfish. We have -- take for  
18          Alabama. Guess what? 45 percent of  
19          our recreational pinfish in the whole  
20          gulf coast, 45 percent of them, right  
21          off the state of Alabama. Why? We  
22          have the best recreational reef  
23          putting out there. The best. In

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1           other words, no state beats Alabama  
2           as far as recreational reef putting  
3           out there. Anytime you put a  
4           recreational reef, that's a pinfish  
5           habitat. They're getting ready to  
6           put L&P plant out there. Do you know  
7           what the suggested plan is? Stay  
8           away from it for two miles.

9           CHAIRMAN MOULTRIE: You need be  
10          closing. Go ahead and close for us,  
11          if you would.

12          MR. BATES: What close?

13          CHAIRMAN MOULTRIE: Go ahead and  
14          close for us if you would.

15          MR. BATES: This thing is taking  
16          place today. I want you to know, my  
17          grandfather was a commercial  
18          fisherman, my father also was  
19          involved in commercial fishing. I  
20          was involved -- my son works on the  
21          boat with me. How many people are  
22          you going to put out of work that  
23          works in the bay? How many people

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1           are you going to put out of work that  
2           works in Grand Bay?

3           We produce food for the people of  
4           the state of Alabama. We farm the  
5           seas. We're farmers. We love to do  
6           that. But we love to see clean  
7           waters. Stop the pollution for some  
8           of these areas that's killing us. We  
9           had three oyster reef kills in Mobile  
10          Bay just recently. Not on account of  
11          the fish kills that you've seen in  
12          Dog River and some similar -- Fowl  
13          River. You hadn't seen nothing yet.  
14          Mobile's getting ready to really dump  
15          on you. Crestview's already dumped  
16          on out. Bayou Le Batre's having  
17          problems. Watch out. It's coming  
18          because the population is growing.  
19          Unless you move them out, them lines,  
20          and get them out of the shallow  
21          waters, the pollution factor is going  
22          to get worse and worse.

23                 CHAIRMAN MOULTRIE: Mr. Bates, if  
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1           you would go ahead and close, please,  
2           sir.

3           MR. BATES: Kill our seafood and  
4           kill our grass beds and kill our  
5           fish.

6           CHAIRMAN MOULTRIE: Thank you,  
7           sir. The next speaker will be Mr.  
8           Gordy Wright.

9           MR. WRIGHT: Mr. Chairman,  
10          Commission. My name is Gordy Wright,  
11          I've been a commercial fisherman, I  
12          guess, probably about 37, 38 years.  
13          Probably off and on other times have  
14          oysters. Had my own oysters. For  
15          the last six, seven years with  
16          dredging. I'm here today -- I've got  
17          to say I kind of agree with Mr.  
18          Ladnier here. I don't think we  
19          should take any more of the conch  
20          reefs. That's why these two reefs  
21          were closed and donated with private  
22          money to do a five-year study. It  
23          doesn't change anything as far as

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1 size limits. You still have the same  
2 size limits. It's just a different  
3 method of producing the oyster. You  
4 can do it easier. You can do it in a  
5 quicker time.

6 You know, I got to say, compared  
7 to the land farmer, I have no  
8 problems with a farmer that wants to  
9 plow his field with a push plow. I  
10 don't have a problem with that. I  
11 admire it. I have a lot of  
12 admiration for those people. But I  
13 envy the man that goes out and gets  
14 him a tractor that can plow that  
15 field in one day where it takes four  
16 or five days to plow it with a hand  
17 plow. And we -- we need this  
18 proposed dredging in Alabama because  
19 we're so far behind with the  
20 neighboring states. I don't want to  
21 reiterate some of the other things we  
22 did in Montgomery. But we need this.  
23 And I'm telling you, the day each

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1 board member -- if they were playing  
2 baseball, it would be a home run.  
3 This would be a home run. Not only  
4 for our director and our  
5 conservation, board members and our  
6 Commissioner, we need it. It's for a  
7 five-year study. My understanding is  
8 it can be shot down at any time if  
9 it's not working. I mean, what does  
10 it hurt to find out if it works? I  
11 know that it works. I have lease  
12 ground, private lease ground that I  
13 do pay big money to work. And I also  
14 pay my taxes. I just need to say.  
15 So, actually, that's all I have to  
16 say is that we need this in the state  
17 of Alabama. It's only a five-year  
18 study and it needs to be approved so  
19 we can get started on it and  
20 different ones can get started in it  
21 and it will put a lot of people that  
22 has a minor handicap that can't get  
23 out and tong oysters, it hurts them

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1           to tong oysters, that they can dredge  
2           and they can get their limit. And we  
3           need this. And I thank you.

4           CHAIRMAN MOULTRIE: Mr. Wright,  
5           and for the rest of us, like myself,  
6           that don't live down here on the  
7           coast, I think I understand tonging  
8           when they tong oysters. Exactly,  
9           when they dredge, what's going on?  
10          Can you give me just a quick scenario  
11          of that? I see some other puzzled  
12          looks when people talk about  
13          dredging.

14          MR. WRIGHT: Sure. It's built in  
15          a wedge. I have some pictures. I  
16          wish I would have brought them. It's  
17          built like a wedge and it has a  
18          little tooth bar on it with a bag in  
19          it. And you go in a circle. And you  
20          pull that dredge. And then when you  
21          pick the dredge up and you dump it  
22          and you dump your oysters on it and  
23          you throw it back and you sit there

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1           and clean your oysters, cull them.  
2           It cultivates the bottom. Like Mr.  
3           Ladnier said, I hate to keep using  
4           him, I hope you don't get mad at me,  
5           but back when you used to have all  
6           the freight boats that would come to  
7           Alabama and lug these oysters, 750  
8           barrels a day, and the reason for  
9           that was because we had dredging in  
10          Alabama along about that time. But  
11          the Radleys got together and formed  
12          the union and drove the price up and  
13          run them out of business and we  
14          haven't had any oysters since,  
15          because the reeds drove over all the  
16          catch. It was just the top of the  
17          oyster. You don't get down to get  
18          the -- you don't get the good oysters  
19          when you tong it.

20                 CHAIRMAN MOULTRIE: How big is  
21          the oyster dredge? The size of the  
22          table or twenty feet long? Three  
23          feet? How big?

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1           MR. WRIGHT: It varies. I got --  
2           you got them anywhere from this size  
3           to, I think, 40 inches or 38 inches.

4           MEMBER OF THE AUDIENCE: Three  
5           foot wide.

6           MR. WRIGHT: Your limits to 16  
7           feet, which I think was in the  
8           proposal for the Mississippi dredge.  
9           I think it weighs like 115, 120  
10          pounds, a bag. And what the dredge  
11          does, it cultivates.

12          For the first year -- I won't get  
13          into the biological aspect of it.  
14          But the first year the oyster is  
15          what's called a conch oyster. After  
16          the first year, the same sex, he  
17          changes into a female. That's what  
18          produces your spawn. Your oysters.  
19          Well, as that oyster grows and gets  
20          over a year old, he settles down into  
21          the bottom and then he sticks down at  
22          the bottom, nothing but that sticking  
23          out, you can't tong that. You can

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1           just dredge all day long. But that  
2           dredge eventually loosens the bottom  
3           and gets that oyster.

4           CHAIRMAN MOULTRIE: I appreciate  
5           you explaining that. Thank you.

6           MR. WRIGHT: Thank you very much.

7           CHAIRMAN MOULTRIE: Mr. Charles  
8           Johnson.

9           MR. JOHNSON: Mr. Charles  
10          Johnson. Georgiana, Alabama. I tug  
11          boats for 38 years. But in between  
12          times of tug boating now from 1947 to  
13          1951. I went in the army after '51  
14          but I dredged oysters then. We used  
15          to dredge them in Louisiana down 3  
16          Mile, 9 Mile, Sailor's Graveyard,  
17          Morgan City. Sometimes you'd get up  
18          in the morning now you be a'ground.  
19          You crank your boat up, what you  
20          doing? You're just tearing it up  
21          there. Then you throw that dredge  
22          overboard and that thing digs down  
23          about six or seven inches, what

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1           you're doing there? You're killing  
2           the oysters. Go look at 3 Mile right  
3           now, there ain't an oyster down  
4           there. All right.

5           What you're going to do? You're  
6           going to tear it up. You're wheels  
7           are going to tear it up. So, I'm  
8           against dredging. And as far as that  
9           shrimping, I don't shrimp so that's  
10          the end of it.

11          CHAIRMAN MOULTRIE: Thank you.  
12          The next speaker will be Mr. Paul  
13          Nelson.

14          MS. NELSON: I'm Paul Nelson.  
15          Codon, Alabama. First off, I'm in  
16          favor of dredging Alabama. You hear  
17          these people talking all the  
18          thousands of barrels of oysters that  
19          they caught years ago. We had  
20          dredging in Alabama years ago.  
21          Mississippi has dredging; Texas and  
22          Louisiana. The biggest majority of  
23          the oysters is harvested comes from

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1           that area in a dredging boat over a  
2           hundred years.

3           Now, these people that are  
4           against it, they tong oysters, they  
5           don't realize quite what they're  
6           doing. They're not spreading the  
7           reef or making any beds.

8           So, the only way to say is it's  
9           up to y'all: It's opened or closed.

10          I thank you.

11          CHAIRMAN MOULTRIE: Thank you,  
12          Mr. Nelson.

13          The next speaker is James Adams.

14          MR. ADAMS: Thank you, Mr.  
15          Chairman.

16          I'm James Adams. I live in south  
17          Baldwin County. And I'd like to say  
18          a couple of things on cast net,  
19          recreational cast net fishing.

20          And it seems like in the past few  
21          years that our neighboring places,  
22          states, they closed a lot of net  
23          fishing, which that's not really none

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1 of my business, but it's sort of  
2 thrown a lot of them over here on us.  
3 And we don't have but a very few  
4 places that we can go and throw a  
5 cast net on, you know, public land.

6 You can get in a boat and go most  
7 anywhere, I guess. I know of places  
8 like Ft. Morgan, Alabama Point. And  
9 of course the state fair, we can't  
10 even throw on the state fair.

11 And, two, anybody from these  
12 other states, they can come over  
13 here, don't even have to have a  
14 license. Don't make no difference  
15 who you are, how old you are or what,  
16 and they can fish the same place I  
17 fish and they haul these fish back  
18 home and they don't pay anything.

19 And that goes for Mississippi and  
20 Florida. They pass all of their net  
21 laws to close gill net fishing, but a  
22 lot of them come over here just to  
23 cast net fish, which that's fine.

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1 I've got a lot of friends from  
2 Florida and Mississippi. But the  
3 state don't get a nickle out of it.  
4 And I drive up to the parking lot  
5 down at Ft. Morgan where they built  
6 that new marina there, they took over  
7 half of our fishing right there when  
8 they built that marina and put a  
9 seawall in an "L" shape there. You  
10 can't go anywhere on the inside and  
11 they dredge in there and dredge up  
12 all the stumps. Plus put a wall  
13 there, and if you've got a boat, ten  
14 foot over, we don't throw in there.  
15 We just got the outside.

16 And I drive up in the parking lot  
17 and there's ten people out there and  
18 they got most of that covered up and  
19 I just have to go to where somebody  
20 let me fish on their private pier.

21 A lot of people I ask them, I'll  
22 see them working on their pier and  
23 I'll say, "I'll be glad to help you

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1           if you'll let me come down sometime  
2           and fish on your pier," and most the  
3           time I do. But that's how I get most  
4           of my places to fish.

5           But I'd like to see something --  
6           you know, something recognized about  
7           that. They say the state don't get a  
8           nickle from nobody that comes from  
9           other states that come over here and  
10          fish.

11          And I called over to Florida and  
12          they want to charge me \$33 to come  
13          over there and fish, throw cast a  
14          net. I'm 68 year old. I don't know  
15          about Mississippi.

16          But in just seems like it needs  
17          to be brought to the attention. I  
18          don't know, you know.

19          I appreciate it.

20          CHAIRMAN MOULTRIE: Thank you,  
21          Mr. Adams.

22          The next speaker will be Mr. Fred  
23          Steiner.

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1           MR. STEINER: Before I start, I  
2           want to thank the Commissioner for  
3           allowing us to have this public  
4           hearing.

5           Commissioner, I would like to  
6           recommend one change that you  
7           mentioned earlier.

8           On behalf of the military -- I am  
9           retired military. I appreciate your  
10          concern for us. But I make one  
11          recommendation and that is, rather  
12          than using leave papers, go with an  
13          active duty I.D. card and an  
14          Alabama's driver license. That will  
15          eliminate all the retired people. It  
16          will eliminate the guard reserve that  
17          are not on active duty. Because when  
18          they're on active duty, they have an  
19          active duty I.D. card. When they  
20          come back they got a guard reserve  
21          I.D. card.

22          In the days now with computers,  
23          very seldom do you get a leave paper.

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1           Especially the way the NCO -- the  
2           lower ranking might get them, but  
3           it's usually just the -- they just  
4           punch it into the computer and they  
5           know they're on leave, so I would  
6           recommend that change.

7           CHAIRMAN MOULTRIE: I appreciate  
8           that.

9           MR. STEINER: Again, I appreciate  
10          the opportunity to come here. I  
11          don't know who I represent. I would  
12          like to say that I represent CCA  
13          because I just submitted an  
14          application to be a member of them.  
15          After they hear my, talk they may not  
16          accept me.

17          And I'm also a member of the  
18          Alabama Shrimp Alliance.

19          But I would like to think that I  
20          represent those people that produce  
21          seafood and those that consume  
22          seafood.

23          Those that consume seafood are

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1           probably just about everybody in this  
2           room.

3           I would like to highlight some of  
4           the things that has happened to the  
5           commercial fishermen that's  
6           restricted in the ability to make a  
7           living. One of them is oil and gas.

8           Every place there's been oil and  
9           gas drilling at Mobile Bay or Gulf of  
10          Mexico, that's restricted to the  
11          commercial fishermen from shrimping  
12          in that area.

13          The other things is sewage  
14          spills. Sewer areas where the  
15          alcohol -- you know, there's an area  
16          that's about a half a mile wide that  
17          there's no shrimping.

18          Dauphin Island Bay. Oyster reefs  
19          closure for a half a mile and so  
20          forth because of potential health  
21          problems.

22          Those are things that are a  
23          detriment to the commercial

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1 fishermen.

2 Recreational reefs that's been  
3 built.

4 All those areas they have are  
5 taking away habitat for the  
6 commercial fishermen.

7 Alabama has probably one of the  
8 shortest coastlines in the country.  
9 So, if you take a little bit, it has  
10 a great impact.

11 The other thing that I'd like to  
12 point out is commercial fishing does  
13 not affect the nursery areas. The  
14 nursery areas, any biologist can tell  
15 you, that's up in the marshy areas.  
16 It's up in the rivers and so forth.  
17 You don't get the shrimp there. When  
18 they get large and they start coming  
19 out, that's when the commercial  
20 fishermen gets them.

21 Grass beds. I don't think  
22 there's a big impact. Commercial  
23 fishermen shrimp in shallow waters to

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1 catch big shrimp during the month of  
2 September, October and part of  
3 November. So you're talking about 90  
4 days that you have an impact at all  
5 on the grass beds.

6 And when they're fishing grass  
7 beds, they're skimmers. Skimmers  
8 does not tear up the bottom. That's  
9 exactly what it is. It skims over  
10 the bottom. It doesn't dig into the  
11 bottom and dig up the grass. So  
12 there's really a minor impact.

13 Pinfish. By-catch reduction.  
14 That's really not a problem in  
15 Alabama. If it was a problem, we  
16 would have a law on our books like  
17 the other states regarding by-catch  
18 reduction requirements. We have no  
19 requirement in Alabama. So it  
20 couldn't be a big problem. If it  
21 was, we would be trying to reduce the  
22 by-catch. And we don't do that in  
23 Alabama. They do it in Florida and

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1           other states. So it's really not a  
2           problem here. It's been mentioned  
3           several times it's a problem. It's  
4           not a problem if we don't have a law  
5           to limit it. We've got devices.  
6           We've got tickets. We've got  
7           by-catch reduction devices. And some  
8           of these pinfish get out of the net.  
9           If it was a problem, we would have  
10          that here in Alabama.

11                 I think when you make the  
12           decision, you've got to consider  
13           economics as well. You know, small  
14           versus large shrimp.

15                 With the imported shrimp coming  
16           in, I tell you, the fishermen cannot  
17           make a living on small shrimp.

18                 In Louisiana, they opened up last  
19           week \$0.45 a pound shrimp, \$0.50 max.  
20           The companies there love to get them.  
21           Nobody's going after them.

22                 Diesel fuel: \$1.20 a gallon; 45  
23           pounds of shrimp. The boat won't

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1           carry enough of those small shrimp on  
2           them to make a living.

3                 It's not going to be a problem.  
4           It's going to be a problem in  
5           Alabama. Because when shrimp season  
6           opens next month, the shrimp are  
7           \$0.68 to the pound, you can't sell  
8           them. Or if you sell them, you'll  
9           get \$0.85 a pound. It's just  
10          economically not feasible.

11                You know with a commercial  
12          fishermen, when he can't make a  
13          living, he quits. He goes and finds  
14          something else. That's not so with  
15          recreational fishermen. You know,  
16          they're there to have a good time,  
17          they fish.

18                So I ask that you take that into  
19          effect.

20                When we give up our ability to  
21          produce seafood, we'll be doing the  
22          same thing that we did when we gave  
23          up our ability to refine oil.

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1           We listened to the  
2           environmentalist -- and I'm an  
3           environmentalist, but I see you got  
4           to cut a balance. You've got to use  
5           your common sense.

6           Half of your oil refineries in  
7           this country have been lost in the  
8           last 30 years. There hasn't been an  
9           oil refinery built in 30 years.

10          We depend upon gas being imported  
11          into this country for automobiles.  
12          It's not oil. Gas. And we have  
13          limited production. We can't produce  
14          wells anywhere in the state of  
15          Florida. We have all these other  
16          environmental restrictions coming in.  
17          We need a balance.

18          So the decisions that are made  
19          pertaining to the seafood industry,  
20          there's no balance. You know, let's  
21          consider the marine -- the science  
22          part of it and let's look at the  
23          economic part of it. I can assure

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1           you, the economic part of it, you  
2           will now see come into play. People  
3           will not go after the small shrimp.

4           MS. NUMMY: You have one minute.

5           MR. STEINER: But, anyway, I  
6           appreciate having the opportunity to  
7           speak here. And as you can tell, by  
8           the way, I'm against any further  
9           intrusion against the commercial  
10          fishermen.

11          Thank you very much.

12          CHAIRMAN MOULTRIE: Thank you,  
13          Mr. Steiner.

14          Everybody probably needs a quick  
15          break. We will recess for 15  
16          minutes. If everybody will be back  
17          promptly at -- it's about 20 till.  
18          So, about five minutes till 11:00  
19          o'clock. Thank you.

20

21                       - - -

22                       (Recess taken.)

23          CHAIRMAN MOULTRIE: The next

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1 speaker will be Dale Mims.

2 MR. MIMS: Thank you, Mr.

3 Chairman.

4 I'm Dale Mims. I'm from Mobile.

5 I want to talk about a couple things

6 --

7 CHAIRMAN MOULTRIE: Can everybody

8 hear Mr. Mims all right?

9

10 (AUDIENCE COLLECTIVELY

11 ANSWERS IN THE NEGATIVE).

12

13 CHAIRMAN MOULTRIE: All right.

14 Go ahead.

15 MR. MIMS: In my lifetime, one of

16 the greatest things that's ever

17 happened in this state was when

18 Forever Wild Lands were bought in the

19 Mobile River Delta. That's a

20 magnificent accomplishment for all

21 sportsmen. One thing that has

22 occurred during the time the state

23 has owned it, they have gone in and

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1           basically dismantled most of the old  
2           camps that were there.

3           And I'm here to make a simple  
4           request, and that is that the state,  
5           through conjunction with maybe Mobile  
6           and Baldwin Counties, or even the  
7           highway department in view of the  
8           amount of the roadway taxes that  
9           fishermen pay to fill up their boats  
10          with fuel, use some of those moneys  
11          to build some shelters throughout the  
12          Delta to allow -- nothing anything  
13          elaborate, but it needs to be in  
14          places that fishermen can take  
15          shelter from thunderstorms.  
16          Lightning is a terrible thing that --  
17          there have been several fatalities in  
18          the Mobile River Delta over the last  
19          few years of people being struck by  
20          lightning.

21          I, myself, was involved in a  
22          situation about 10 or 12 years ago  
23          where a freak storm came up, wound up

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1           -- some of you may remember it.  
2           There were about 8 or 10 boats  
3           throughout Mobile and Baldwin  
4           Counties that were sunk or capsized  
5           one afternoon. I happened to be one  
6           of them.

7           So, I think that had we had some  
8           of those types of shelters then some  
9           of those kind of situations might  
10          have been avoided. I know in my case  
11          it could have.

12          I'm just asking you to consider  
13          making something that -- maybe a  
14          floating shelter. It doesn't have to  
15          be anything elaborate, with walls or  
16          anything of that nature in it, just  
17          something that fishermen can get out  
18          of the way of in case a storm comes  
19          up.

20          I thank you for your time.

21          CHAIRMAN MOULTRIE: Thank you,  
22          Mr. Mims.

23          The next speaker will be Mr. Tony

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1 Cooley.

2 MR. COOLEY: Thank you, Mr.  
3 Chairman, members of the Board.

4 I'm here on a totally different  
5 subject from what everybody's heard  
6 today.

7 I'm from northern Alabama,  
8 Marshall County. And I have a  
9 business along the Tennessee River.  
10 And several years ago, in 1995 I  
11 believe, snagging was banned on the  
12 Tennessee River.

13 From what I understand from  
14 talking to some of the game officials  
15 that was supposedly because of some  
16 snagging of game fish. And most of  
17 the snagging on the Tennessee River,  
18 I believe was done was done from the  
19 bank. Predominately catfishing.  
20 Catfish is snagged. But we had some  
21 bass and other fish that was snagged.  
22 And from what I understand is the  
23 reason for banning the snagging. I

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1 don't think that's legitimate. I've  
2 been in my store for 25 years in one  
3 location. And I've seen almost all  
4 the snaggers that go to the dam.  
5 There is some snagging that goes on.  
6 And we still have snagging on the  
7 Coosa River. And it was banned on  
8 the Chattahoochee River. I'm not  
9 familiar with that situation. I'm  
10 not sure why it was banned there.

11 So I'm proposing that we bring  
12 back snagging. It's not a big sport.  
13 But the people that do it, enjoy it.  
14 I'm in a rural area and most of my  
15 fishermen come from Blount County and  
16 Cullman County, and, of course,  
17 Marshall County. I don't think it's  
18 detrimental to the fish. I'm sure  
19 some people don't see it that way.  
20 But it's really a sport and it is a  
21 sport. Some people don't think it  
22 is. I have done snagging.

23 CHAIRMAN MOULTRIE: Mr. Cooley,  
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1 explain real quick what snagging is,  
2 please.

3 MR. COOLEY: Below the dam -- and  
4 it's different in different areas.  
5 Below the dam you have where it's  
6 occurred most of the time. Some  
7 people either do it two or three  
8 different ways. Some people like to  
9 snag up the wall, above it and below  
10 the wall where people can fish. It's  
11 about 200 foot long. And when we had  
12 snagging everybody in the county kind  
13 of thrown in together because you  
14 can't really -- most people that snag  
15 got closer to the dam and the people  
16 that were fishing get toward the end  
17 of the wall, and they'll take large  
18 weights and put it on the end of the  
19 line and take hooks, anywhere from  
20 small hooks like an 8 hook and some  
21 people use hooks about three inches  
22 long, those little hooks. And you  
23 can also throw back into the current.

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1           But, like I said, I don't think  
2           it's that detrimental to the fishing.  
3           And I'm going to say, 95 percent of  
4           the fish snagged are catfish. I  
5           think that's the way it is anywhere.

6           I'd like to see it brought back.  
7           I don't think it's that bad. A lot  
8           of people would enjoy it. I did  
9           myself. It's kind of hard work  
10          sometimes. But I'd like to see that  
11          done if we could.

12          Another item, I would like to  
13          recommend, below the dam we have a  
14          lot of saltwater stripe. And up in  
15          the Coosa River, I talked to some of  
16          the biologists, and it's been proven  
17          that the saltwater stripe will  
18          reproduce. They did think that  
19          saltwater stripe will reproduce above  
20          the dams. But from what I understand  
21          in the Coosa River, they are. It's  
22          been proven. Not so in the Tennessee  
23          River. But I believe they are. I

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1           see a lot of stripe, saltwater  
2           stripe, anywhere from 12 to 16 inches  
3           just in the last few weeks. A lot of  
4           these stripes are going out of the  
5           dam. There's no reason to keep the  
6           saltwater stripe that that's size.  
7           Those things get up to -- we see it  
8           over in the river from 20 to 25  
9           pounds.

10                 Fish below the dam, we have brim,  
11           some bass fishing. I hate to see  
12           this fish go out. It's just  
13           something the biologists know and  
14           I've mentioned it to a couple of  
15           people, the biologist that I've  
16           talked to. And they haven't really  
17           -- they don't know for sure that it's  
18           happened but I believe it is. And,  
19           you know, the state wouldn't have to  
20           stock many of these saltwater stripe.  
21           And of course they're not being  
22           produced anyway. I'm pretty sure  
23           that the saltwater are. And there's

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1           a lot of these stripe going out.  
2           Just in the last two weeks, I've  
3           heard boys been catching 20 to 30 of  
4           these small stripe. You know, some  
5           people may be getting mixed up with  
6           the white bass, the white stripe.  
7           There's some thousands of those. But  
8           there's not as many of the saltwater  
9           stripe. And I don't know what  
10          biologists would recommend as a size  
11          limit. I think it would be a very  
12          good idea. I want to say maybe at  
13          least 16 inches. That would probably  
14          be about -- I don't know, about a two  
15          or three pound stripe. A lot of  
16          these stripes going out are half a  
17          pound to a pound.

18                I appreciate the Board's  
19          suggestion on this.

20                Thank you.

21                MR. WILLIS: Mr. Chairman?

22                CHAIRMAN MOULTRIE: Yes.

23                MR. WILLIS: I'm from Colbert

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1 County. And I have spent many hour  
2 snagging and I would like to see this  
3 come back, too.

4 MS. NUMMY: You've got to speak  
5 up.

6 MR. WILLIS: I would like to see  
7 this come back, too, the snagging.  
8 Because this -- I don't know. It's a  
9 pleasure to catch fish that way. But  
10 anyway, what I've been told in the  
11 past is they're being caught and  
12 sold, you know, for caviar or  
13 whatever. But you don't catch these  
14 -- actually the catch is out away  
15 from that. That's true. Why they  
16 closed it, I don't know. But it  
17 would be a good thing if they would  
18 -- if the conservation department  
19 would look into it. In -- this only  
20 happens from the last of April until  
21 about the first week in June. And  
22 then it goes away.

23 MR. COOLEY: That's correct. I'm

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1 not sure of the total amount on  
2 snagging. When they did that, not  
3 many were caught. Like he said, they  
4 spawn in the spring and there wasn't  
5 many of them caught. You know, if  
6 that's a concern, I don't believe  
7 that to be legitimate because there's  
8 not very many caught.

9 MR. WILLIS: The way the  
10 commercial fishermen was catching  
11 them -- if you go up there and tie up  
12 to the dam, or what-have-you --  
13 you've got to know how to do this.  
14 If you don't, you lose your hook.  
15 You're liable to lose your rod and  
16 reel, too.

17 But I would like to see it come  
18 back. And if there's some way that  
19 we can put this on the record that we  
20 would like this to come back.

21 CHAIRMAN MOULTRIE: I would like  
22 to ask Stan Cook if he would like to  
23 comment on that right now. I'd like

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1 to hear Stan's opinion on there.

2 MR. COOK: To my knowledge, the  
3 snagging on the Tennessee River was  
4 -- snagging on the Tennessee River  
5 was implemented around the same time  
6 period that we were having problem  
7 with paddle fish. And also within  
8 the several reservoirs in the  
9 Tennessee River.

10 The thinking was at that time  
11 that there were more large mouth  
12 being caught with snagging than what  
13 people were observing and felt  
14 comfortable with what we did see. So  
15 that was -- the Tennessee River was  
16 more or less looked at in particular  
17 because of snagging activity up  
18 there.

19 Since that time, I've heard a lot  
20 of reports about large mouth being  
21 caught in that manner. I'm not aware  
22 of it being an issue.

23 I would be more concerned about

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1 paddle fish or what is referred to as  
2 spoon bill. Paddle fish, there is a  
3 moratorium on those in Alabama. They  
4 recovered in the Alabama system, but  
5 they were not recovered in the  
6 Tennessee system.

7 And that would be something I  
8 would want to keep a close eye on.  
9 But as far as examining whether or  
10 not we could remove the restriction  
11 for snagging, I would be open to  
12 looking at that. This is the first  
13 I've heard about it. The first time  
14 it's come to my attention. I would  
15 like a little time to make sure  
16 before we take any kind of a step  
17 that we're doing the right thing.

18 The other comment he mentioned  
19 about stripe bass, we also believe  
20 stripe bass are spawning in the  
21 Tennessee River. We're just not sure  
22 where, but both Tennessee and Alabama  
23 are trying to take a look at that.

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1           We have not stocked stripe in  
2           Tennessee River in probably four or  
3           five years.

4           MR. WILLIS: Well, I'll say  
5           again, the first time I've even seen  
6           this gentleman here. I know it took  
7           away a pretty good sport from some of  
8           the older fishermen. And I'd like to  
9           see it come back and have  
10          restrictions on catching the  
11          saltwater stripe and the bass, and  
12          anything. I mean, there's ways to  
13          restrict. I would like to see it be  
14          limited to catching just channel cat,  
15          bluecat or yellow cat or whatever.

16          CHAIRMAN MOULTRIE: That sounds  
17          like that may be a good issue for  
18          your special committee for your  
19          fishing committee to look at.

20          MR. COOK: Yes. Sure.

21          CHAIRMAN MOULTRIE: That would be  
22          great and you can report back to me  
23          would be excellent.

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1           Thank you, Mr. Cooley. We  
2           appreciate it.

3           UNIDENTIFIED AUDIENCE MEMBER:  
4           Mr. Chairman, I'm from up in that  
5           area, too. I would like to see it be  
6           put back up. It's a good one.

7           CHAIRMAN MOULTRIE: The next  
8           speaker will be Mr. Randy Yeargan.

9           MR. YEARGAN: Thank you, Mr.  
10          Chairman, Commissioner, Board.

11          I appreciate the opportunity to  
12          speak today. I'll make it brief.  
13          I'm from Chilton County. I'm the  
14          president of Alabama Bowhunters of  
15          Alabama, Incorporated. As we talked  
16          about in the spring meeting, our  
17          organization is opposed to any  
18          further extension of muzzleloader  
19          season. We have always stood behind  
20          this committee or this board and the  
21          department's decision on that type of  
22          thing. We would like to say that if  
23          this board has looked at the economic

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1 impact of muzzleloader seasons that  
2 we've had three-day seasons and if  
3 your reports have shown that it is a  
4 substantial increase in the revenue  
5 for this state.

6 We would not stand against the  
7 department if they increase that.  
8 What we would like to ask and I can  
9 send that in a written proposal  
10 letter, that if you would back the  
11 bow hunter season up so that we would  
12 have at least as many days of bow  
13 hunter only season as we had prior to  
14 the muzzleloader season.

15 That's all I got today. I  
16 appreciate the Board looking at that  
17 and pass that.

18 Thank you, very much.

19 CHAIRMAN MOULTRIE: Thank you,  
20 Mr. Yeargan.

21 The next speaker will be Reggie  
22 Goins.

23 MR. GOINS: Good morning, Mr.

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1 Chairman.

2 I'm Reggie Goins. I live in  
3 Coffee County. That's in north  
4 Alabama. The northwest part of the  
5 state.

6 And I wanted to come and speak on  
7 a couple of issues. One was on the  
8 supplemental feed. I would be in  
9 favor of it. I know it's been voted  
10 down, but it's brought back up. I  
11 would like to see that because a lot  
12 of people just feeding the corn and  
13 they put the other things like  
14 minerals and other things, I think  
15 that's a good thing. A lot of people  
16 -- you know, it gives youngsters a  
17 chance to shoot over something like  
18 that. It would be better for them.

19 Also, I would like to voice my  
20 opinion on an antler restriction. I  
21 think it's a good thing. You know, I  
22 think the studies have shown that  
23 probably 90 percent of the deer,

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1           bucks killed during the year are  
2           ones; young deer. Alabama has  
3           liberal doe limits, you know. I  
4           think that you can -- if you want to  
5           put food in your freezer, you got  
6           plenty of time to do that with does  
7           you have -- the bucks are -- the  
8           young bucks, they need time. Some of  
9           the other states around us have done  
10          it, had some success with it. I know  
11          they've implemented that and it's  
12          still yet to be seen what it's going  
13          to do in a couple of years. It's got  
14          to help.

15                I've got a -- back in my younger  
16          days of hunting, I killed the my  
17          first buck I saw and most of the  
18          times they were a spike or three  
19          points. O I don't do that anymore.

20                But I think that would be  
21          beneficial to this state. I'm not  
22          saying take it away for maybe  
23          youngsters that want to kill their

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1 first deer that's a spike or a three  
2 point or what-have-you and if there's  
3 some way you can allow that to  
4 happen.

5 Thank you for your time.

6 CHAIRMAN MOULTRIE: Thank you  
7 very much. The next speaker will be  
8 Mr. Allen Crockett.

9 MR. CROCKETT: I'm back there in  
10 the rear. Mr. Chairman. Gentlemen  
11 on the board.

12 I'm Allen Crockett with Alabama  
13 Society of Traditional Bowman. I've  
14 had the opportunity to speak with  
15 y'all in the spring. What I'd like  
16 to do is mostly discuss about the  
17 extension of muzzleloader season.

18 It doesn't seem -- when I came in  
19 I saw this, it's a draft legislation  
20 for new hunter regs. This is pretty  
21 much status quo. And this has worked  
22 and it's worked great.

23 One thing I thought was

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1           interesting in it was this, is that  
2           they said there was going to be a  
3           special youth hunting day on the 13th  
4           of November. Now, that's a great  
5           idea. I mean, you know, there's  
6           nothing better we can do to get the  
7           kids involved.

8                 Well, if you extend muzzleloaders  
9           another week, you're going to be  
10          putting out there the people with  
11          modern muzzleloaders that can shoot  
12          200 yards out there with all the kids  
13          out there hunting with rifles? It  
14          may not be the best idea.

15                I think that's a very serious  
16          consideration. We go to the  
17          management areas now, one of the  
18          things they do is they have the youth  
19          that go out there and participate the  
20          week before gun season.

21                Well, if we go another week,  
22          you're not going -- muzzleloader  
23          folks, they deserve to have that

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1 first week . Well, they'd like to  
2 move the youths up two weeks before  
3 that. So bow season comes in on the  
4 15th and we alternate the week before  
5 Thanksgiving, you may only have two  
6 weeks as a bow hunter to go in there  
7 and hunt before guns come out. So it  
8 does make a difference.

9 And, you know, there's -- I shoot  
10 -- I shoot a muzzleloader. I shoot a  
11 side lock, percussion, cap,  
12 percussion, flint. It's a big  
13 difference, it doesn't affect me. I  
14 can shoot from November 22nd to  
15 January 31st.

16 And it just seems like it's not  
17 the best policy for the way we've  
18 done things in the state. I mean, I  
19 know, I understand there's  
20 opportunity for folks. But if you  
21 want to hunt with a muzzleloader, you  
22 hunt for, what is it, 73 days? And  
23 you can shoot more deer in the state

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1 of Alabama from that day on than any  
2 other state in the country.

3 And it's not saying -- it's one  
4 of these things where you don't want  
5 to be against. But there's some  
6 things that are just -- Mr. William,  
7 he talks, that's life and death to  
8 him. Well, this is right and wrong  
9 to me.

10 There are 60,000 bow hunters in  
11 the state. And we all know -- we all  
12 have our certain favorite things that  
13 we do. And if you -- we can't please  
14 everybody. I mean, y'all have got a  
15 very difficult job just to sit here  
16 and -- and realize oh, gosh. But  
17 there's -- you know, it just seems  
18 like this would be the proper thing  
19 to do and if you would give serious  
20 consideration if you want to back up  
21 muzzleloader season. There's just no  
22 purpose in it. There's -- other than  
23 to sell muzzleloader guns. Okay?

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1 Thank you, very much.

2 CHAIRMAN MOULTRIE: Thank you,  
3 Mr. Crockett.

4 The next speaker will be Mr.  
5 Kevin Archie.

6 MR. ARCHIE: Thank you, Mr.  
7 Chairman.

8 And I'm here representing the  
9 Alabama Muzzleloader Association.  
10 The opposite view of this.

11 First off, I'm from Coffee  
12 County. I'm an elementary school  
13 teacher with the school system. I've  
14 been there 16 years. I'm also a  
15 hunter safety instructor. I've been  
16 a safety instructor for the last 15  
17 years working with the state.

18 I would like to thank y'all and  
19 the members, state employees, the  
20 conservation department for  
21 everything y'all, too. But I know  
22 last year, the three days that you  
23 offered us in muzzleloader season,

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1           there was a lot of enthusiasm, a lot  
2           of people got up, a lot of people  
3           bought muzzleloaders, the economic  
4           importance of it, that would not have  
5           bought one just to hunt a regular  
6           season when they could hunt with a  
7           high-powered rifle.

8           In traveling throughout the  
9           state, the interest in muzzleloading  
10          is growing at a phenomenal rate.

11          And one other point I'd like to  
12          make is about the future hunting in  
13          the state of Alabama. We have all of  
14          these different groups arguing  
15          against one another. And we need to,  
16          in my opinion, try to stick together.  
17          I know that's infringing on somebody  
18          else's right. Anything we can do  
19          that backs up or -- we back up  
20          muzzleloader season that's going to  
21          infringe on the bow hunting and I  
22          understand that. But from the  
23          economic value of last year, I know

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1           just in our area, the stores do not  
2           keep muzzleloaders. They are  
3           continuously buying, you know,  
4           keeping them on back order and stuff  
5           like that. So from an economic  
6           value, I think it would be a good  
7           idea.

8           And that's all I have.

9           Thank you for your time.

10          CHAIRMAN MOULTRIE: Thank you,  
11          Mr. Archie.

12          The next speaker will be Mr. Sam  
13          Etheredge.

14          MR. ETHEREDGE: Good morning, Mr.  
15          Chairman, Commission, Board.

16          I represent West Alabama Hunter's  
17          Association. And we've had people  
18          down looking in our area. We had  
19          some deer die, we know that. We were  
20          at the meeting in Montgomery and I  
21          know we haven't made enough impact.  
22          I've given Robin petitions that have  
23          been signed. We are asking you to

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1 stop the doe killing in Marengo  
2 County and our surrounding area. You  
3 should listen to the landowners and  
4 the people in that area. We know  
5 what is out there. If you're not  
6 going to represent the people anymore  
7 then we need to quit trying to blame  
8 our whole county as one. There's  
9 only a few miles apart. There's a  
10 lot of open land and very few deer.  
11 All right. We need to go to a large  
12 fine for people who violate the  
13 antler restrictions and many people  
14 they don't think it's right. They  
15 think that you should let a child  
16 have the right to kill whatever. I  
17 was a child at one time and I did not  
18 want to kill a doe as my first deer.  
19 And most other children don't. The  
20 parents should quit trying to think  
21 their children should shoot does.  
22 That is one of the things. Let them  
23 kill something they can be proud of.

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1           And a proper doe harvest, most  
2           people don't know, which does should  
3           be shot. They think any doe should  
4           be shot. You don't kill a producing  
5           doe. You leave them. You take those  
6           out that are old or just don't need  
7           to be out there. The small running  
8           does are going to raise small deer.

9           And as far as your baiting.  
10          Baiting is baiting. I don't care how  
11          you look at it. If you're feeding,  
12          you're bating. That needs to be  
13          amended in the books that says bating  
14          is stealing. A land owner who feeds  
15          deer year 'round, if you're a good  
16          honest landowner -- we all know that  
17          happens all the time. There is  
18          nothing wrong with changing the law  
19          back to where it was. We liked it in  
20          Marengo County where children could  
21          hunt during Christmas and we have our  
22          doe days and we did a pretty good  
23          job. You need to listen to the

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1           landowners and the hunters and I  
2           think we'll come out with a better  
3           situation than what we've got. I  
4           realize does need to be killed in  
5           certain areas where we're over-  
6           populated. We are asking you to do  
7           this. And we had David Nell and Mr.  
8           May come down and they looked at the  
9           area and they can tell you, depending  
10          on who you talk to, as to what needs  
11          to be done. They think there's  
12          plenty of deer still. That's fine.  
13          If you think there's plenty of  
14          deer -- deer hunting has a very large  
15          impact on revenue in the state of  
16          Alabama. Continue to kill does and  
17          see how fast it drops.

18                 West Alabama ain't got a lot of  
19                 industry. It's kind of been thrown  
20                 out to the side. And when it's all  
21                 said and done, you ain't going to  
22                 have the deer over there, you're  
23                 going to lose profit.

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1           We're asking you to re-look at  
2           what's going on. Tommy Miller owns  
3           4,000 acres on the Tombigbee River.  
4           And if you see 200 deer out there on  
5           his land on the Tombigbee River, I  
6           don't think there's very many seen on  
7           4,000 acres, not compared to what we  
8           saw 15 years ago. I've lived in that  
9           area all my life.

10           MS. NUMMY: I'll give you another  
11           minute. One more minute.

12           MR. ETHEREDGE: I've hunted that  
13           area all my life. We have always  
14           tried to respect the does when we  
15           didn't have many. You could run them  
16           with dogs and never jump a deer. It  
17           don't pay us to get all -- unless all  
18           the people come in who don't care  
19           who have no vital interest in that  
20           area and just want to kill something.  
21           Look at what we're doing in that  
22           area. At least change Marengo County  
23           if you don't change the rest of them.

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1                   That's all I got to say.

2                   CHAIRMAN MOULTRIE: Thank you.

3                   Gary Moody? Do you want me  
4                   comment on that right now?

5                   MR. MOODY: Is this on? Okay.

6                   Yes, Mr. Chairman, I will. Yeah,  
7                   I had the opportunity to go over and  
8                   meet in Demopolis with these  
9                   gentlemen who are here today. And  
10                  was very interested in listening to  
11                  what was presented at that meeting.  
12                  Talked to a lot of people in the  
13                  meeting, after the meeting and some  
14                  on the telephone since then. Our  
15                  staff has prepared a fairly extensive  
16                  report on this issue as reflected in  
17                  our recommendations and there's  
18                  copies that we'll be glad to share  
19                  with any of the board members that  
20                  would like to have a copy.

21                  But we have met with numerous  
22                  landowners in that area, been on  
23                  their property and looked at areas

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1           that are reported to be without deer.  
2           We even had some landowners come back  
3           and say after the season and say  
4           they're seeing more deer than they  
5           did during the season. We've got  
6           spot light counts. We've got aerial  
7           counts. We've visited a lot of  
8           plants to determine the number of  
9           deer that were harvested this year  
10          versus previous years. And we, at  
11          this time, don't see anything that  
12          makes us feel like we've had a severe  
13          reduction in the deer herd.

14                 We do feel like that some of the  
15          deer may not be being seen on green  
16          fields as much as they used to, for a  
17          variety of reasons. Last year being  
18          a particularly tough reason for green  
19          fields.

20                 CHAIRMAN MOULTRIE: Thank you,  
21          Mr. Moody. It seems like, you know,  
22          we've heard the same issue come up  
23          when we talked in Birmingham and if

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1           you'll stay on top of it which I know  
2           y'all will.

3           The next speaker will be Mr.  
4           James Ennis.

5           MR. ENNIS: My name is James  
6           Ennis. I currently reside in Mobile,  
7           Baldwin County. Take your pick. I'm  
8           here on a couple of issues that I  
9           guess people already brought up.  
10          Number one, black powder season and  
11          archery season. I'm against that. I  
12          believe if you're going to have  
13          extended like the other season, it  
14          should go into the 70 something days  
15          of gun hunting that already exist. I  
16          am a modern muzzleloader. I've  
17          killed deer at 200 yards with it.  
18          There's no difference between that  
19          and going and hunting with a .308.  
20          It's the same kind of scope, and  
21          blasting one. I mean, so if it does  
22          go -- and I understand the economic  
23          benefit for three days. If you take

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1           two weeks or a week, whatever the  
2           proposal is, and go into archery  
3           season, you're going to hurt that  
4           industry that much by cutting out  
5           their revenue because they're going  
6           from a 30-day to a 37-day season to a  
7           less-than-30-days. People who are  
8           less apt to spend the money -- I  
9           mean, okay, well, I'll wait two more  
10          weeks and I can start muzzleloader  
11          and rifle hunting, et cetera.

12                 Number 2: I understand that the  
13          board almost passed last year  
14          taxes -- I do believe in the tag  
15          system. If you're a meat processor,  
16          you must have the tag with the meat  
17          at all times. Or for a taxidermists,  
18          must have the tag on the rack at all  
19          times.

20                 And a three buck limit. I  
21          understand an antler restriction is  
22          getting a lot of proposal and that's  
23          why it may not have passed last year.

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1 Don't use an antler restriction. If  
2 somebody wants to go shoot three  
3 small bucks, even though it may not  
4 be the best for Alabama, that's three  
5 bucks. If he uses tags, that's his  
6 three.

7 That's not the same person going  
8 and shooting currently eight or nine  
9 small bucks every year.

10 With the doe harvest the  
11 gentleman said earlier. I do  
12 encourage people to shoot does. My  
13 little sister killed her first deer  
14 last year; it was about a 90-pound  
15 doe. I don't think you could replace  
16 the smile on her face if she had shot  
17 a six point or an eight point. She  
18 was just happy to have killed her  
19 first deer.

20 But just to reiterate once again.  
21 Black powder season should not  
22 infringe further in bow season. I  
23 would like to see a tag system. If

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1 y'all look at Georgia, Missouri and  
2 various other states that have had  
3 them, they've been really successful  
4 and they are enforcing them.

5 I know the current fine in  
6 Missouri for the first time any  
7 processor has found not to have the  
8 tag with the meat, it costs you  
9 \$1,000. The second time, it costs  
10 you your business license. Nobody  
11 who runs a business wants to take  
12 that kind of risk to process a \$60  
13 deer.

14 The antler restriction, if it's  
15 necessary to leave it off to limit  
16 the number of bucks killed, leave it  
17 off.

18 That's all I have to say.

19 CHAIRMAN MOULTRIE: Thank you.

20 MR. WILLIS: Mr. Chairman, I  
21 don't know whether -- on the black  
22 powder, talking about the bow hunter  
23 today, instead of getting into the

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1 bow hunters, take your map and look  
2 at your color zone.

3 MS. NUMMY: Please talk into the  
4 microphone.

5 MR. WILLIS: Look at the colored  
6 zone. On the days that you kill a  
7 doe, but a black powder gun you kill  
8 -- if you want to kill something, you  
9 might want to take a shot at a doe.  
10 Why don't we -- the blue section has  
11 got 18 days and look at the  
12 possibility of taking the black  
13 powder gun and open up 18 days to  
14 some more days to black powder hunt  
15 in the blue zone, the red zone and  
16 brown zone. And that way the black  
17 powder hunter in the state like, Mr.  
18 Kelley said, who wants to use black  
19 powder gun, if they want to, let them  
20 go to these zones where they can kill  
21 a doe or a buck. You know, they  
22 would get more deer kills and more  
23 hunters that way.

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1           CHAIRMAN MOULTRIE: You want to  
2           look at that or y'all may have  
3           already looked at that and you all  
4           may want to take that into  
5           consideration on the books.

6  
7           (Simultaneous conversation.)

8  
9           CHAIRMAN MOULTRIE: Okay. Do you  
10          want to repeat that for Mr. Willis?

11          MS. NUMMY: Into the microphone,  
12          please.

13          MR. MOODY: There is a  
14          muzzleloader section in your --

15          MR. WILLIS: There is a  
16          muzzleloader section in it. But what  
17          I'm speaking of, Mr. Moody, the blue  
18          section covers Franklin, Colbert,  
19          Lauderdale and seven or eight more  
20          counties there. It includes  
21          Jefferson County.

22          MR. MOODY: It's in there January  
23          the 8th to January the 24th.

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1           MR. WILLIS: Right. But you have  
2           18 days that you can kill a doe.

3           MR. MOODY: Yeah. I'm talking  
4           about, muzzleloader that's already  
5           added on. We've already made the  
6           recommendation to have muzzleloader  
7           January the 8th to January the 24th  
8           in those counties we're talking  
9           about.

10          MR. WILLIS: I know. I agree  
11          with you. But when the muzzleloader  
12          season goes out, you can't kill a doe  
13          -- you can't kill a doe with a  
14          muzzleloader.

15          What I'm saying is you ought to  
16          be able to take your muzzleloader, go  
17          to one of those colored counties and  
18          get it to where you could shoot  
19          whatever you wanted to with that  
20          muzzleloader and you wouldn't  
21          interfere with bow hunters.

22          MR. MOODY: No, you can kill --  
23          you can kill an un-antler deer with

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1           your muzzleloader during that  
2           extended season in January. On page  
3           five of your recommendation --

4           MR. WILLIS: I agree with you,  
5           but here it is in -- here on the blue  
6           section, November 22nd to November  
7           the 30th. And then the next section  
8           is 27th December to the 4th of  
9           January.

10          I'm saying, extend more than 18  
11          days that you can kill and -- and let  
12          it go into the muzzleloader days.

13          MR. MOODY: I think we're saying  
14          the same thing. I think we're  
15          agreeing on the same thing if I'm  
16          understanding what we -- and maybe  
17          I'm not understanding the question  
18          is. But we have -- in addition to  
19          what's on this sheet right here, in  
20          addition to this, we have. And have  
21          in the past. This is not a new  
22          recommendation. It has been  
23          available in the past. In January

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1 offer additional days of black powder  
2 hunting that un-antler deer may be  
3 taken.

4 MR. WILLIS: We are saying the  
5 same thing. We're just saying it  
6 different.

7 MR. MOODY: I think so. I  
8 believe we're agreeing.

9 CHAIRMAN MOULTRIE: That's a good  
10 point to bring out. Thank you, Mr.  
11 Moody.

12 The next speaker will be Mr.  
13 Philip Hester.

14 MR. HESTER: Hello everyone. My  
15 name is Philip Hester, I live in  
16 Trinity, Alabama. Morgan County up  
17 north.

18 I am on the Board of Directors  
19 with the State Chapter of Quality  
20 Deer Management Association. I'm  
21 vice-president of the local branch in  
22 the Birmingham area of the Quality  
23 Deer Management Association.

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1           For those of you that may not  
2           know, the Quality of Deer Management  
3           Association is a nonprofit  
4           organization dedicated to wildlife  
5           conservation, developing high quality  
6           white tail deer population, balancing  
7           the deer herd with the habitat. And  
8           improve the habitat and the hunter's  
9           experience. That's what we're trying  
10          to do.

11          QDMA has 30,000 members. And  
12          Alabama ranks number eight in  
13          membership. So we're happy to be  
14          started here in Alabama here  
15          recently.

16          I'm here today to talk about the  
17          proposed three buck limit that has  
18          been discussed in times past.

19          We lend our support for such a  
20          proposal, potential proposal. All  
21          three branches of the state of  
22          Alabama and the local chapter and our  
23          national headquarters would support a

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1           three buck limit. I believe that  
2           would help distribute the buck age  
3           structure over time. And we  
4           recommend that.

5           This would be sooner than the  
6           five-year voluntary three buck limit  
7           that's in place now; voluntary three  
8           buck limit by honorable, respectable  
9           deer hunters in the state of Alabama.  
10          We feel this is worthy of future  
11          consideration and we would ask that  
12          you consider that.

13          Thank you for your consideration.

14          On a personal note, I represent  
15          QDMA. I would like to support an  
16          extension of muzzleloader season.  
17          Especially in the counties where  
18          extended doe season exists.

19          And one of the things we try to  
20          do is to harvest the doe early in the  
21          season. So to help us to do that  
22          early in the season before the  
23          habitat is diminished and deplete and

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1 the rest suffer as a result of that  
2 and help us to harvest the deer  
3 earlier.

4 So, you know, the extended bow  
5 season, the extended muzzleloader  
6 season could be for does only.

7 That's my personal recommendation  
8 to you.

9 Thank you for your time.

10 MR. PORTER: Did you say y'all  
11 have 30,000 members in the state of  
12 Alabama?

13 MR. HESTER: No, sir.

14 MR. PORTER: How many do you have  
15 in the state of Alabama?

16 MR. HESTER: I don't have the  
17 numbers off the top of my head.

18 MR. PORTER: A handful?

19 MR. HESTER: I don't know what  
20 you mean by a handful. There's -- I  
21 think it's probably near 2,000.

22 MR. PORTER: Do you know what the  
23 doe-buck ratio is concerned, say, for

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1           Pickens County? I don't have a  
2           problem with it, I'm just curious  
3           where the problem exists that you  
4           were talking about.

5           MR. HESTER: In working with the  
6           -- when I went to Pickens County,  
7           also. And we find that there's a lot  
8           of variation in the buck-doe ratio  
9           within that county. And, so, there's  
10          a lot of variation up in our state.  
11          I don't if that answers your  
12          question.

13          MR. PORTER: Thank you.

14          CHAIRMAN MOULTRIE: Thank you,  
15          Mr. Hester.

16          The next speaker will be Ms.  
17          Carol McKeithen.

18          MS. McKEITHEN: Thank you for  
19          listening to me today. And I thank  
20          you for being here.

21          I'm here because my husband,  
22          David, is fishing. I hope I'll be  
23          able to explain our situation pretty

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1 well. I'm here about the dove  
2 seasons. McKeithen Outdoor  
3 Enterprises organizes and manages  
4 dove hunts throughout the southeast.  
5 We represent 75 members in our club  
6 and many hundreds of other hunters  
7 that hunt on our commercial hunts.  
8 What I would like to ask is for you  
9 to consider just compromising the  
10 dove season a little bit.

11 What we are asking for is a  
12 season of 70 days of afternoon hunts  
13 only and a 12-bag limit for our zone.

14 What I originally wanted to ask  
15 for was October the 9th through  
16 November the 14th November; November  
17 the 24th through November the 28th;  
18 and December the 18th through January  
19 the 14th.

20 What -- you know, I know that  
21 there are a lot of people that like  
22 to hunt early. There are a lot of  
23 people that like to hunt late. And,

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1           so, talking with another person in  
2           here that we would like to work out a  
3           compromise with, you know, I said  
4           well what we could live with would be  
5           October 9th through November the 7th;  
6           November the 24th through November  
7           the 28th; and December the 11th  
8           through January 14th.

9           That gives us 70 days of hunting  
10          opportunity and it gives the early  
11          hunters, which dove season in Mobile  
12          and Baldwin County is a lot of times  
13          a tune-up or a social tune-up for  
14          duck hunting and deer hunting.

15          There are a lot of people in  
16          South Alabama that only dove hunt  
17          that do not deer hunt or duck hunt.  
18          But then a lot of people in my club  
19          have asked me to come and speak for  
20          the ones of them that duck hunt and  
21          deer hunt. They would like a little  
22          bit earlier dove season to give them  
23          an opportunity to hunt doves, and

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1           then also later on hunt deer as well.

2           We are really -- our company,  
3           even though we're commercial, we are  
4           very conservation-minded. We are  
5           very interested in perpetuating this  
6           resource.

7           We think afternoon hunts are  
8           sufficient. We're against morning  
9           hunts. Morning hunts are dangerous,  
10          although that's the only time I can  
11          kill any birds because they fly low  
12          and slow.

13          But morning hunts, in our  
14          opinion, are dangerous and gives too  
15          many unregulated opportunities for  
16          people to shoot 24 birds in a day  
17          instead of 12.

18          We are absolutely in support of  
19          the 12-bag limit. That is a  
20          sufficient number of birds for  
21          harvesting.

22          We have farmed and harvested  
23          doves in Baldwin County now for about

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1           20 years when the federal regulations  
2           changed from allowing people to  
3           broadcast wheat. We began farming  
4           sunflowers. So we farm sunflowers on  
5           probably 100 acres of sunflowers  
6           throughout Baldwin County every year  
7           in order to farm a crop so that  
8           people will have somewhere to come  
9           and hunt.

10           Afternoon hunts also -- if you  
11           preclude morning hunts, afternoon  
12           hunts are important. It's important  
13           to stop your hunt an hour and a half  
14           to two hours before sunset and not  
15           continue hunting again the next day  
16           to allow your birds plenty of  
17           opportunity to water, feed and gravel  
18           before they are pressured again by  
19           hunters.

20           And, you know, hopefully, you  
21           know, with our season adjusted a  
22           little bit from what it was last  
23           year, you know, we will be able to

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1 provide, you know, more hunting  
2 opportunities for more people.

3 That's all I have, I believe.

4 CHAIRMAN MOULTRIE: Thank you  
5 very much.

6 MS. McKEITHEN: Let me be sure I  
7 didn't leave something out.

8 CHAIRMAN MOULTRIE: Go ahead and  
9 finish.

10 MS. McKEITHEN: I think that's  
11 it.

12 MR. LAWLEY: Do you know the  
13 dates?

14 MS. McKEITHEN: Well, what I was  
15 suggesting to be like October the  
16 9th, which is a week earlier than it  
17 was open last year. October the 9th,  
18 last year I think it opened the third  
19 weekend in October instead of the  
20 second.

21 October the 9th through November  
22 the 7th; November the 24th through  
23 November the 28th. That gives us the

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1 opportunity to hunt Thanksgiving  
2 weekend. We have lots of father-son  
3 activities or father-child  
4 activities. We have a lot of girls  
5 that come and hunt during those odd  
6 out-of-school days.

7 And then also December the 11th  
8 through January the 14th. I believe  
9 that gives us 70 afternoons of  
10 hunting, and provides a compromise  
11 between the people that want to hunt  
12 really, really early and then the  
13 people that would like to hunt a lot  
14 later.

15 You know, our birds -- we hunt  
16 over peanut fields. We hunt over  
17 millet and sunflower fields, so this  
18 gives everyone who wants to hunt at  
19 whatever crop they want to hunt over  
20 plenty of opportunities.

21 CHAIRMAN MOULTRIE: Thank you.

22 The next --

23 MR. LAWLEY: We were just looking

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1           at this and suggested, it says y'all  
2           have a season October the 9th of  
3           November the 7th --

4           MS. NUMMY: You've got to speak  
5           in the microphone.

6           MR. LAWLEY: I think what has  
7           been recommended by Wildlife  
8           Freshwater Fisheries for a change  
9           this year are basically these same  
10          dates except it's going from December  
11          the 11th to January the 15th. And  
12          you've got to the 14th. And the  
13          first season is to the 7th and  
14          they're recommending the 6th.

15          MS. McKEITHEN: I was just  
16          including the Sunday in that first  
17          season.

18          MR. LAWLEY: Okay. Were you  
19          aware of these changes that they were  
20          recommending?

21          MS. McKEITHEN: I'm sorry, what?

22          MR. LAWLEY: Were you aware of  
23          these changes?

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1 MS. McKEITHEN: Not until just a  
2 few minutes ago, and I had already  
3 prepared my speech.

4 MR. LAWLEY: You did an excellent  
5 job. Your husband would be proud of  
6 you being here so he can go fishing.

7 MR. WILLIS: Mr. Chairman, how  
8 would this affect the northern part?  
9 How would it affect the northern  
10 part?

11 CHAIRMAN MOULTRIE: It would have  
12 no affect on that, as I understand  
13 it.

14 The next speaker will be Riley  
15 Sibenhener.

16 MR. SIBENHENER: I'm Riley  
17 Sibenhener from Geneva County. I'm  
18 representing the Geneva County  
19 Landowners Association.

20 I have with me my good friend,  
21 Mr. Winton Melton. He's with the  
22 Geneva County Dog Hunters group.  
23 We're here today to talk about a

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1 dog-deer hunting permitting system  
2 for Geneva County. You should have  
3 that proposal with you. We and dog  
4 hunters, the stalk hunters, the  
5 landowners have gotten together with  
6 advice from our local conservation  
7 officer, district conservation  
8 officer and state conservation  
9 officer to come up with a proposed  
10 system that's very much like the  
11 Coosa County and Chamber County  
12 system. We petition y'all today to  
13 adopt that for us.

14 Mr. Melton?

15 MR. MELTON: Thank you, Riley.  
16 I'm Winton Melton of Geneva county.  
17 And I would like to express  
18 appreciation to Riley and his group,  
19 and up here to you people for your  
20 cooperation, participation in the  
21 state, the game wardens and Mr.  
22 Andress, we have been contact with  
23 all of them and everybody that has

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1           had input into this system. They  
2           seem to think it has a good chance of  
3           working. And it does cover the three  
4           basic areas. The -- I guess you  
5           could say self-policing would be a  
6           part of the permit system. Because  
7           you got to form a club and police  
8           your own ranks to keep your permit.  
9           We have included in addition to  
10          what's in the Coosa County plan and  
11          Chamber County plan, we have included  
12          a road hunter position. You can't  
13          have a loaded gun in your vehicle, if  
14          you're catching dog -- we can't make  
15          that against the law, because that  
16          would count against your permit;  
17          trying to keep a loaded gun off the  
18          road.

19                 And we also have something in  
20                 here about keeping your dog off of  
21                 other people's property. Dogs  
22                 trespassing. Now, we hope that we'll  
23                 have some patience and discretion

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1           with. We know that one of the number  
2           one complaints is dogs trespassing.  
3           So if this becomes a nuisance then  
4           your permit can be pulled.

5                 So, again, Mr. Louis Coles has  
6           met with us. We appreciate that.  
7           We appreciate his input. Everybody's  
8           input. But what we, from the dog  
9           hunter's side, propose is to please  
10          take this, adopt it, give it some  
11          time and if it doesn't work, let's  
12          refine it. And let's make it work  
13          and continue to work and work these  
14          problems out. I think it's a great  
15          start. I really do think it will  
16          work. And I think it should be much  
17          better than coming here every year  
18          and throwing out the baby with the  
19          bath water, if you will, have having  
20          problems again. The dog hunters in  
21          Geneva County endorses the plan. We  
22          will go into in good faith and  
23          enthusiasm, not only that it will

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1 work, but that it will reduce the  
2 problems and we will stop coming down  
3 here fussing with you and fighting  
4 with you.

5 If you have any questions.

6 CHAIRMAN MOULTRIE: I'd like to  
7 note also for everybody, that Mr.  
8 Melton of his own personal time and  
9 personal expenses, served on a  
10 landowner-deer hunter special  
11 committee that was formed. I  
12 appreciate your time and efforts on  
13 that, also.

14 MR. MELTON: Proud to so do. And  
15 I think that we can -- this is a step  
16 in the right direction. We've all  
17 heard for years to get the dog  
18 hunters off the road, and I certainly  
19 concur with that and think things can  
20 work out. While we might not be  
21 able to do this with legislation  
22 because of the in's and out's, so if  
23 we can do it with a permit system and

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1 handle the permit or you all can put  
2 the permit in place if -- might need  
3 a little time, might need a little  
4 refining. But a lot of work has gone  
5 into this document and I appreciate  
6 the cooperation and able to sit down  
7 with Riley and -- and we've had two  
8 meetings with them and -- and also  
9 we're working real hard with trying  
10 to work on dog control. We trying to  
11 learn how to whistle break a dog and  
12 things like that that we hope it will  
13 have some long-term effects on  
14 protecting our and -- and those that  
15 refuse to cooperate and insist on  
16 abusing those people who are running  
17 across their land and shoot the deer  
18 off the public roads. And it would  
19 give the enforcement officers  
20 something to give them a ticket to  
21 get them out of the way and give  
22 everybody the protection that they  
23 deserve to have. If there are any

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1 questions, we would be proud to  
2 answer them.

3 CHAIRMAN MOULTRIE: Thank you.  
4 The next speaker will be Blair Goins.

5 MR. GOINS: I just want to thank  
6 you for sharing more of your time.  
7 First thing, my name is Blair Goins.  
8 I'm from the same county as Mr.  
9 Willis is. One of the northwest most  
10 counties in Alabama. I wanted to  
11 speak on -- about the quality of deer  
12 and the three point restriction on  
13 one side. I am, indeed, in favor of  
14 that.

15 You know, so many people say and  
16 talk about, you know, if you pass  
17 this law or that it's going to cause  
18 children to not see as many deer, but  
19 what I've noticed in places that I  
20 have hunted is that when we pass such  
21 laws, yeah, the first year is kind of  
22 tough, maybe the second year. But  
23 when you get into your third year on

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1 up, as you go, you start to see more  
2 bucks actually. And the bigger bucks  
3 is the main thing, you know.

4 I may be one of the youngest  
5 speakers here today, and, I mean,  
6 I've had plenty of chances in my life  
7 to kill numerous bucks, small bucks,  
8 deer, bucks, whatever. But, I mean,  
9 you know, I don't think you should --  
10 I mean, just, say, little Johnny here  
11 is not going to have to have a chance  
12 kill bucks because -- you know, they  
13 are growing to grow up. They're not  
14 going to just disappear. I mean,  
15 yes, some of them might get killed by  
16 the road or whatever, but they are  
17 going to grow up. They're not going  
18 to just stay small forever.

19 Secondly, I am -- but also the  
20 main thing, the doe population. As  
21 far as the days that you can kill  
22 does. I think that does give the  
23 young ones their chance to kill a

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1           doe. But also, as the younger guy  
2           said earlier about the tagging, the  
3           bag limits. I think that would be  
4           good a thing. We primarily hunt in  
5           Tennessee. We're about 30 miles. 30  
6           or 40 miles south of Tennessee. They  
7           do have -- I mean, most of you guys  
8           know they do have the three bucks and  
9           it's tagging. You do have to tag  
10          them as well. We have -- I am a  
11          turkey hunter. We have a five  
12          gobbler limit. So, you know, I think  
13          the tagging law will greatly benefit  
14          that. I know a lot of guys that kill  
15          more birds and I don't agree with  
16          that. I think you should kill, you  
17          know, no more than what is allowed.  
18          I think five is really too many, but  
19          that's my personal opinion.

20                Anyhow -- but like I said, if the  
21                three antlers on one side and the  
22                tagging and the three buck limit  
23                because, you know, I think -- you

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1 know, three bucks is enough deer to  
2 kill a year. I mean, you know, if I  
3 -- everybody raise their hand, I  
4 don't think people will raise their  
5 hands and say you can't kill spikes,  
6 fours and even little five points. I  
7 think we should at least give a  
8 chance for the deer -- and give the  
9 deer a chance to get to being two and  
10 a half years of age or better. Thank  
11 you.

12 CHAIRMAN MOULTRIE: The next  
13 speaker will be Mr. Dalbert Marsh.

14 MR. MARSH: Thank you, Mr.  
15 Chairman, members of the Board.

16 This time last year, I stood  
17 before you and asked you to support  
18 us in a partial ban on parts of  
19 Coffee County, Alabama.

20 And I told you at that time that  
21 I had no problems with other areas of  
22 the county. But my opinion there are  
23 some in the county are giving a great

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1 deal of difficulty. And I know it  
2 was a great decision that you made to  
3 give us that ban. But I wanted to  
4 stand here before you today and tell  
5 you how much we appreciate what  
6 happened here last year.

7 This has been one the best years  
8 of our lives, I believe. And I spoke  
9 to you last year on behalf of three  
10 people. And I thought I would use  
11 those three people again to kind of  
12 tell you their opinions of what this  
13 past year is like.

14 One of them I spoke to you about  
15 was a lady by the name of Mrs. Dale  
16 Reynolds, who is partially blind;  
17 she's 93 now. Works very actively in  
18 her yard and garden and is a gardener  
19 and just loves life. And she just  
20 had a great year this year.

21 And I mentioned to you this, B.F.  
22 Smith, who is an African-American.  
23 He's a private member of a church

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1           that supported this issue very  
2           strongly. I.

3           Saw him yesterday. He had a  
4           brother in Pensacola in the hospital  
5           and he couldn't be here. He wanted  
6           me to express to you how much he  
7           personally appreciates this decision.  
8           That for the first time, we don't  
9           feel like we're living in a war zone  
10          in this end of Coffee County.

11          And then I think I talked with  
12          you briefly about Ronnie King. A  
13          friend who lived just around the  
14          corner from us who had some very  
15          difficult situations in dealing with  
16          some deer hunters.

17          And Ronnie also expresses to you  
18          the same things that I'm telling you  
19          today.

20          I know it was a tough decision.  
21          I know that things can change when  
22          you make decisions like this because  
23          we do see change. Is it perfect? It

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1           certainly is not perfect. There is  
2           still some minor violations.

3           We had tremendous support from  
4           the people in your enforcement  
5           division. They were very helpful in  
6           our area. But the people in our area  
7           were just blessed this year to see a  
8           change and change for the good. And  
9           we wanted to stand before you today  
10          and tell you how much we appreciate  
11          it.

12          That's all I got to say.

13          CHAIRMAN MOULTRIE: Thank you,  
14          Mr. Marsh.

15          The next speaker will be --  
16          they're splitting their time. Paul  
17          Jeffreys and Brad Williams.

18          MR. WILLIAMS: Hi, my name is  
19          Brad Williams. I live in the  
20          southern part Lamar County. And I'm  
21          here speaking against dog hunting. I  
22          greatly appreciate the decision y'all  
23          made last year. It's greatly

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1           impacted our lives.

2           That decision, which a lot of us  
3           support, other landowners from there,  
4           it come with a price. I had a  
5           shooting house burned. I had some  
6           green fields mopped off. We had cows  
7           shot.

8           My next door neighbor down here  
9           and he spoke against it last year and  
10          he lost \$65,000 worth of equipment  
11          and hay. We do appreciate what y'all  
12          are doing. It's made our life  
13          better. Even though it's cost a  
14          little bit, it's made our life  
15          better.

16          We understand there's some groups  
17          wanting to get a special permit back  
18          in Lamar County to dog hunt. And if  
19          a certain group gets that permit then  
20          another group is going to want a  
21          permit and we'll be right back in  
22          this situation. We don't want that.  
23          And we just greatly appreciate what

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1 y'all are doing.

2 Thank you.

3 MR. JEFFREYS: Commissioner,  
4 Members of the Board, I'm Paul  
5 Jeffreys. I'm also from Lamar  
6 County.

7 First off, I want to say some  
8 praises about two of the officers.  
9 Keith Anderson. Back during turkey  
10 season they went above and beyond  
11 apprehending a turkey hunter that was  
12 from out of state and didn't have a  
13 state license and was also  
14 trespassing.

15 But dog hunting, this past season  
16 was wonderful. The best season we've  
17 had. I actually took my four-year  
18 old son hunting for the first time  
19 and I was not worried about having a  
20 confrontation with a dog hunter.

21 But right here I have a breakdown  
22 of the complaints from the three  
23 counties that are restricted. There

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1           again, complaints against dog  
2           hunters.

3                   The breakdown in Lamar:  There  
4           was 33 complaints.

5                   In Marion, there was 47.

6                   And in Franklin, there was 129.  
7           Like he said, we have had -- the  
8           vandalism has continued.  But we  
9           understood that that was going to  
10          come with the decision.  And we knew  
11          that there would be a price.  And we  
12          greatly appreciate the decision that  
13          was handed down.

14                   If the clubs are issued a permit  
15          to run dogs, like I said, other clubs  
16          will come forward and it will just be  
17          a snowball effect and we'll be right  
18          back where we started four years ago  
19          coming here and asking for the  
20          restrictions.

21                   I just ask that the Board send  
22          the dog hunters in other counties a  
23          message that either the Department of

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1 Conservation that works with the  
2 State of Alabama set the laws in  
3 Alabama and they will abide by them.  
4 And set the laws to protect the  
5 private landowner, no matter what.

6 And, again, I'd like to say,  
7 thank you for the restriction that  
8 you gave us in Lamar County. It's  
9 completely 180 degrees difference.  
10 It's wonderful.

11 Thank you.

12 CHAIRMAN MOULTRIE: Thank you,  
13 Mr. Williams and Mr. Jeffreys.

14 The next speaker will be Mr.  
15 Danny Powell.

16 MR. POWELL: Good morning, or  
17 good afternoon. My name is Danny  
18 Powell. I'm from Winston County  
19 around Addison. A little hole in the  
20 wall up in the northeast corner of  
21 Winston County.

22 I'd like to bring up and mention  
23 the deer/dog hunting. I am opposed

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1 to that. And I'm 45-years old. I  
2 never shot my first deer until I was  
3 41.

4 I'm a little nervous here, as you  
5 all can tell.

6 I never shot my first deer until  
7 I was 41 years old. And I run with a  
8 dog, and I shot four deer since then.  
9 And my mother owned like 280 acres  
10 right at the end of Bankhead Forest.  
11 We have a confrontation with deer  
12 hunters all the time. And I invite  
13 people to hunt on my land. Anybody  
14 -- dog hunter, if they don't want to  
15 bring their dogs, if they respect my  
16 land. Don't trash it up, skin it up.  
17 And if they'll respect my family.  
18 Let me know they're going to be out  
19 there.

20 I've had -- matter of fact, a  
21 processing plant --

22

23 (Beeper sounding)

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1

2

MR. POWELL: My five minutes up  
already?

3

4

MS. NUMMY: You're okay.

5

6

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23

MR. POWELL: As a matter of fact,  
a deer processing place in Morgan  
City is owned by a guy and has about  
seven young kids and this guy brought  
his two kids out there. And I give  
him directions and everything. And  
one of the days they came, they  
encountered the dogs running right  
through the property. You know, I  
know a dog can't help it, but these  
people have no respect, no judgment  
to give respect to anyone.

And as my friend I just met, the  
only other one that came out here 350  
some miles from Winston County was  
talking, you know, he said he would  
rather face a loaded gun than this  
right here. That's why I'm here, I  
guess. I'm representing Winston

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1 County for those that are against  
2 this dog hunting. I realize there's  
3 a proposal to limit a small portion  
4 of Winston County. That would be  
5 fine. There's a place for dog  
6 hunting. I have a dogs and have  
7 hunted in the past when I was a kid.  
8 But, you know, it's not like they're  
9 getting -- it's a comradery thing, I  
10 guess, when you're with a pack of dog  
11 hunters. And, yes, they don't --  
12 where they hunt over there, it's a  
13 gravel road. Forest Spring Road.  
14 And most of the deer is shot with  
15 buckshot and that's over the hood of  
16 a truck or out the window or  
17 something like that. That, to me, is  
18 not a sport. That's not dragging it  
19 out of the woods or whatever.

20 I ride my four-wheeler a lot out  
21 there on my property. I filmed like  
22 a six-point buck just before the  
23 season. Just filmed him and he was

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1           just as docile and tame like. But  
2           after that dog season starts, they're  
3           different animals. I mean, these  
4           dogs, they run them out.

5           And that's about all I got to  
6           say.

7           But y'all are going to do the  
8           right thing and I think all of the  
9           Lamar County bunch, we can respect  
10          what y'all have done with them. And,  
11          you know, there will be  
12          repercussions. You're above me now.  
13          They know where I live. I appreciate  
14          y'all's time.

15          CHAIRMAN MOULTRIE: Thank you,  
16          Mr. Powell.

17          The next speaker will be -- we're  
18          going to press on through. There's  
19          ten more, eleven more speakers and  
20          we're going to press through and then  
21          take a lunch break. So everybody  
22          just bear with us.

23          Kyle Hardy.

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1           MR. HARDY: I'm Kyle Hardy.  
2           Henry County Commission. I also  
3           represent the Henry County Landowners  
4           and Stalk Hunters Association. We've  
5           got an issue there with the dog  
6           hunters in Henry County. We have  
7           reached a, we hope, an agreement that  
8           you we would like you all to accept  
9           today. We copied the Coosa and  
10          Chambers County permit system. We  
11          made some changes to it. We thought  
12          it would better suit our needs.

13                I have with me today Mr. Billy  
14          Barnes, who is the president of the  
15          Henry County Dog Hunters Association.  
16          He and I have met with several of the  
17          others and going back to our  
18          respective groups and the change we  
19          have made, we would like for y'all to  
20          accept and endorse on this permit  
21          system.

22                We know it's not, you know,  
23          everything -- tickets and all. At

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1           least enforce the permit part of it  
2           for Henry County.

3           I think it will help solve a lot  
4           of the problem we're having. There's  
5           a place for stalk hunters and  
6           landowners and place for dog deer  
7           runners. And we're trying to work  
8           something where we can all work  
9           together.

10          And if y'all approve this, I  
11          think this gives us a chance to try  
12          and work out most of our problems  
13          ourselves. We ask y'all to approve  
14          this for us and let's try it and see  
15          if it will work.

16          And if everybody will work with  
17          it, I can see where we can handle our  
18          own situation.

19          MR. McCRANIE: Thank y'all for  
20          having us down today. I just want to  
21          say that -- I want to thank the  
22          department for working with us. Mr.  
23          Hardy over here. Mr. Coles. I think

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1           we can take this system and we can  
2           work with it. And if we have to, we  
3           can make some minor changes later on.  
4           But I think this system will be  
5           beneficial to everybody. I'm going  
6           to sit down at this time because  
7           that's some years down this road and  
8           we need to get along with the  
9           program.

10           CHAIRMAN MOULTRIE: Thank you  
11           all. The next speaker will be Morgan  
12           Rogers.

13           MR. ROGERS: I'm Morgan Rogers  
14           from Covington County. And we have  
15           had -- I'm a representative of the  
16           landowners.

17           And we have met with the Dog  
18           Association of Covington County and  
19           we have come to an agreement with the  
20           permit system like these other people  
21           have done. And we would ask that you  
22           all implement that.

23           MR. DAVIS: I'm Larry Davis, also

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1 from Covington County. I'm a  
2 landowner, but I'm also an avid dog  
3 hunter. And I'm here to represent  
4 dog hunters. And I do want to thank  
5 Mr. Louis Coles for the time he spent  
6 putting all of this together. I  
7 think that if the people are having  
8 problems -- we do realize there are  
9 problems out there.

10 And I believe that if reasonable  
11 people sat down and have a reasonable  
12 conversation, you can come to common  
13 ground and we ask you to adopt this  
14 measure, also.

15 CHAIRMAN MOULTRIE: Very good.  
16 Thank you all.

17 The next speaker will be Mr.  
18 Charles Clark.

19 MR. CLARK: Mr. Moultrie, Mr.  
20 Lawley, Board members. My name is  
21 Charlie Clark and I'm from Crenshaw  
22 County.

23 I've been asked by a group of

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1 landowners, citizens and hunters who  
2 lease property to come to you for  
3 assistance. Let me begin by saying  
4 we are not opposed to dog deer  
5 hunting. I, myself, have run dogs  
6 for 12 years.

7 However, the hunters we have in  
8 our area hunt small tracts, have no  
9 respect for property lines or for  
10 other persons.

11 According to the game  
12 enforcement officers in our county,  
13 95 percent of the complaints filed  
14 that come from this one club for dog  
15 deer hunting. During the past five  
16 years some of them have trespassed,  
17 physically assaulted one landowner  
18 and refused to move their vehicles by  
19 blocking driveways and public roads.  
20 On one occasion, they stranded a 15-  
21 year old boy. When he went to  
22 inquire as to why they were on his  
23 family's land, they cursed him and

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1           taunted him and he had to flee to his  
2           house to escape them.

3           Another time, my nephew was  
4           hunting on my land and someone pulled  
5           into my property and shot at a deer  
6           that was standing by his stand. This  
7           deer was a doe and it was not even  
8           doe season, and it hit him.

9           Two years ago, I caught one of  
10          the hunters on my property and some  
11          members said to talk to the president  
12          of the club. While talking to the  
13          president about this problem, several  
14          members came over and started using  
15          abusive language and threatened me.

16          And, again, on another occasion,  
17          our local minister, who does not even  
18          hunt, came home to find his drive  
19          blocked. He asked these men to move  
20          their trucks so he could get into his  
21          yard. They began cursing him and  
22          refused to move their trucks.

23          I can go on and on with instances

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1           like this, but I won't bore you.

2           The bottom line is we need  
3           immediate help in this area. If  
4           something's not done, we're afraid  
5           that someone will be seriously  
6           injured, either accidentally or through  
7           one of these confrontations.

8           Due to these safety concerns,  
9           we're asking the Conservation  
10          Advisory Board to place a restriction  
11          on dog hunting on 18,000 of land  
12          immediately adjacent to the city  
13          limits of Luverne, which is located  
14          in central Crenshaw County.

15          I've given a packet to our board  
16          representative, Mr. Louis Coles, the  
17          area outlined we're requesting  
18          restriction in. We have signatures  
19          from 95 percent of the landowners and  
20          hunting groups in this area. We also  
21          have letters from the individuals  
22          outlining the abuse and confrontation  
23          that's existed the last seven or

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1 eight years.

2 We have letters from county  
3 sheriff and the district judge and  
4 county commission with this history  
5 and they're in support of this.

6 We exhausted all ways to solve  
7 this problems, including meeting with  
8 this dog club. We need your help.  
9 You gentlemen are the only chance we  
10 have to settle this problem before  
11 someone is seriously injured.

12 Thank you for your time. And if  
13 I need to answer any questions, I  
14 will try.

15 CHAIRMAN MOULTRIE: Thank you  
16 very much, Mr. Clark.

17 MR. CLARK: Thank you.

18 CHAIRMAN MOULTRIE: The next  
19 speaker will be Mr. Wendell Harmon.

20 MR. HARMON: Chairman, members of  
21 the Board, thank you for having me  
22 today.

23 My name is Wendell Harmon and I'm

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1 from Chambers County.

2 I farm up in Chambers County on  
3 some land that's been in my family  
4 for five generations. I farmed it  
5 just as my dad and my granddad before  
6 him, his father, his father and his  
7 father before him.

8 For 100 years, we have lived on  
9 that land and farmed it and hunted on  
10 it.

11 For the past 10 years, I have  
12 every day of deer season had to  
13 confront one particular club about  
14 dog hunting on my land.

15 These individuals know that my  
16 land is posted and I do not want them  
17 on it.

18 When I confront I hear numerous  
19 excuses that I know everyone here has  
20 heard:

21 1) we can't control our dogs when  
22 they're turned out.

23 2) we can't catch them when

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1           they're running deer; and,

2                 3) our dogs can read.

3                 Well, if you can't control  
4           something, you don't need to be able  
5           to use it. That's the way I see it.

6                 These guys operate with the  
7           intent and the desire for their dogs  
8           to get on my property and run the  
9           deer off so that they can have a  
10          chance to kill them.

11                When the dogs get away from them,  
12          they don't even make an effort to try  
13          to catch them.

14                Once again, showing they have no  
15          control over their dogs or that they  
16          blatantly disregard my property  
17          rights.

18                Now, I'm not here before you  
19          today for the one side of the fence.  
20          I've stood on both sides of the  
21          fence.

22                I was born and raised a dog  
23          hunter. My daddy and I owned dogs

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1           for several years. I was a due  
2           paying card-carrying member of a dog  
3           hunting club for almost 15 years.

4           Now, I know what can be done and  
5           what can't be done as far as dog  
6           hunting is concerned.

7           I'm not opposed to dog hunting.  
8           If that's the way they get their  
9           enjoyment, then I'm proud for them.  
10          I don't want to take that away from  
11          anybody.

12          But I don't want dogs on my land.  
13          And when they come on my land then  
14          they have infringed upon my rights.  
15          My hunting and enjoying my property  
16          the way I want to is not going to be  
17          infringed on by one soul.

18          So when your dogs come on my  
19          property, now you are trampling on my  
20          rights. And that's what this is  
21          about.

22          Chambers County operates under  
23          the permit system. Now, I'm sure

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1           somewhere in this state, it's  
2           probably working. But it's not  
3           working in my area.

4           The club that I'm having the most  
5           trouble with, they drive up to an  
6           edge of a cove that looks like a  
7           barren wasteland and turn their dogs  
8           out on the edge of my property.  
9           Where do you think they're going?  
10          Everybody here knows where they're  
11          going. The only paved road that  
12          intersects my property, and drop the  
13          tailgate, turn the dogs out and then  
14          drive off. Where are the dogs go?  
15          They're going on my land. Trying to  
16          stop them is nothing more than an  
17          exercise in futility, at best.

18          Now, as in any system of policy,  
19          it's success lies solely in the  
20          individuals that must abide by it.  
21          These people are like the people in  
22          Iraq. Cooperation and coexistence is  
23          not in their vocabulary. They

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1 believe they can do whatever they  
2 want, wherever, whenever, with no  
3 regard for anyone else.

4 Now, since this hunting club has  
5 shown a continued inability to  
6 control its dogs and the total  
7 disregard for the rights of others, I  
8 feel that my only recourse is to  
9 request that the Union Hill Hunting  
10 Club and its members have their  
11 permit revoked. These guys are so  
12 well-known by the Department of  
13 Conservation that not only the  
14 officers that are there now, but  
15 officers that hadn't even been there  
16 in ten years know them on a first-  
17 name basis. That should tell you the  
18 kind of individuals I'm dealing with.

19 Once again, thank you.

20 CHAIRMAN MOULTRIE: Mr. Harmon,  
21 what was the name of that club one  
22 more time?

23 MR. HARMON: Union Hill Hunting

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1 Club.

2 CHAIRMAN MOULTRIE: Thank you,  
3 very much. Thank you for your time.

4 The next speaker will be Mr. Tom  
5 Gilmore.

6 MR. GILMORE: Thank you, Mr.  
7 Chairman and Board. I'm glad to be  
8 here today. My name is Tom Gilmore.  
9 I'm from Birmingham. I belong to  
10 Alabama Sportman's and Landowner's  
11 Association. I have spoken to you in  
12 the past regarding them.

13 I'm not talking to you today  
14 about them, but what I am going to  
15 say is that I'm very glad to hear  
16 some of the things that I'm hearing  
17 that's going on in the southern part  
18 of the state with the landowners and  
19 the hunters getting together. I  
20 should say the sportsmen and the  
21 landowner's getting together.

22 But, anyway, that's something  
23 that we have worked for, for years.

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1           What I am going to talk about is  
2           a section of land in Perry, Bibb and  
3           Chilton known as the Lolley Triangle,  
4           which about eleven or twelve years  
5           ago, we were the first group to get a  
6           restriction in Alabama regarding  
7           hunting with dogs.

8           And because of that, we've had  
9           quite a bit of time to see what's  
10          going on as far as the hunting and  
11          how the landowners feel about the way  
12          hunting is going on in that area  
13          after dog hunting has stopped.

14          Not only the deer hunting -- we  
15          have seen a great change in the deer  
16          hunting in the way the people hunt  
17          now. Everybody down there really  
18          likes it. They think that it's  
19          great. They changed over. They  
20          don't have to chase dogs. They don't  
21          have to worry with problems with  
22          neighbor.

23          It has changed the turkey

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1 hunting. We hear more turkeys. We  
2 do not have a policy on turkey  
3 hunting; so, therefore, we don't have  
4 to worry about people shooting the  
5 turkeys during deer season. And we  
6 just had a great time.

7 I just want to thank the Board  
8 for what you've done in the past.  
9 And we appreciate it.

10 CHAIRMAN MOULTRIE: Thank you,  
11 Mr. Gilmore.

12 The next speaker will be Mr. Rick  
13 Yeager.

14 MR. YEAGER: Good afternoon,  
15 Chairman, members of the Board,  
16 member of the conservation  
17 department. Good to see you again.

18 My name is Rick Yeager. I'm  
19 president of Still & Stalkers USA. I  
20 reside in Houston County, Alabama. I  
21 mostly do my hunting in Henry County  
22 and other counties as well. Barbour  
23 County Management Area, District 85.

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1           Louis Coles, good to see you.

2                   Good to be here. And it's good  
3           to know that Geneva County worked out  
4           a situation and Henry County has  
5           worked out a permit situation. That  
6           saves me a lot of talking.

7                   Our coalition is representative  
8           of still and stalk hunter hunters,  
9           landowners, outdoor enthusiasts,  
10          renters of houses in rural areas that  
11          have to deal with dogs running across  
12          their property, concerned citizens  
13          and anyone that has had problems with  
14          dog hunters that have run across  
15          their properties or ran through their  
16          yards when they had children out. It  
17          has become quite an issue. And it  
18          sounds like we're getting some  
19          resolve in the area. We haven't  
20          gotten there yet.

21                  I would like to lay one thing to  
22          rest. There has been a little  
23          propaganda spread about our

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1 organization. Our organization has  
2 -- it has created about 300 or 400  
3 members to our organization. These  
4 are people that would like to see  
5 something done about this problem.  
6 Some propaganda has been put out  
7 about our organization that we're  
8 after the supporting dogs, we're  
9 after the bird dogs, we're after the  
10 coon dogs. We're not after any of  
11 these dogs. We're after doing  
12 something about the road dog hunting  
13 for deer. That's it. Nothing to do  
14 with any dogs except for deer dogs.  
15 So if everybody would make that clear  
16 I would appreciate it.

17 Our coalition, of course,  
18 supports Henry County's permit  
19 system. We support Geneva County's  
20 permit system. Covington County's  
21 permit system. One big problem that  
22 we're seeing is, I've have got a  
23 group here of about 250, 300 names

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1           here from Coffee, Dale and Pike  
2           Counties that has no system at all.  
3           These people all signed up in the  
4           past month and a half to two months.  
5           300 people that are having the same  
6           problem. So we still have a big  
7           problem to look at.

8                 Since they had no one in those  
9           areas to work up a permit system,  
10          it's the same thing, we'll work with  
11          these people on it to try to have  
12          something worked up for next year.  
13          Unless there is some way that this  
14          committee can get a motion to do a  
15          permit system for the rest of Coffee  
16          County and Pike County and Dale  
17          County.

18                I don't know if you can or not.  
19          I don't know what powers you do have  
20          or what you don't have. It would be  
21          nice if you could do something for  
22          these counties, for they do need some  
23          help down there.

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1           One of the other things that I  
2           noticed, there were a lot of  
3           different bills proposed in the  
4           legislation. Saw the governor signed  
5           one bill. I think I saw one other  
6           bill passed.

7           I think I saw a lot of  
8           legislation and time wasted on other  
9           bills that just flounder around the  
10          House. I would like to see a lot  
11          more of our tax dollars spent more  
12          wisely on bills when they get there.

13          I don't know about you guys, but  
14          that's our tax money and our  
15          legislative time. So I don't know if  
16          the bills aren't being prepared  
17          properly before they're sent to the  
18          legislators or whether the  
19          legislators just aren't doing their  
20          jobs properly. So maybe we need to  
21          look at these bills are sent over  
22          there. And if they're not doing  
23          their job right, then maybe we need

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1           to talk with them and see if we can't  
2           get them on the ball a little better  
3           on some of these bills. Because I  
4           think feeding an supplemental feeding  
5           in some situations is very necessary,  
6           especially when you're hunting in  
7           nothing but planted pine forest where  
8           half way through your deer season,  
9           your food plots are totally gone.  
10          And when it comes to your winter  
11          months and your rough season, your  
12          deer are eating nothing but pine  
13          straw and pine needles and briars and  
14          that's the time that they're going to  
15          stress after the rut and have very  
16          little to eat and their herd health  
17          gets down and it hampers their  
18          development.

19                 Our group is in full support of  
20                 the three-point-on-one-side rule to  
21                 increase the size of the bucks in  
22                 this state. And for a safety reason,  
23                 to give people to look twice, if not

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1           three times, before you pull the  
2           trigger on the deer. And just  
3           because it's brown, you don't want to  
4           shoot it unless you know what it is.  
5           And I appreciate it, and that's all  
6           you have to say.

7                   CHAIRMAN MOULTRIE: Thank you,  
8           sir.

9                   The next speaker will be Mr. Don  
10          Knight.

11                   MR. KNIGHT: Good morning,  
12          gentlemen. I'm Don Knight in  
13          Anniston. And I'm president of the  
14          Alabama Dog Hunters Association.

15                   I'd like to start this morning by  
16          saying that we are against any antler  
17          regulation and it doesn't have  
18          anything to do with our dog hunting.  
19          If you pass an antler regulation,  
20          we'll survive with it with our dog  
21          hunting. But we just think it  
22          creates too many deer left in the  
23          woods, possibly too many -- it

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1 creates outlaws of good people and  
2 we don't need that. Let's try to  
3 keep it as simple as we can.

4 I'd like to thank Louis Coles,  
5 all the rest of you members of this  
6 Board for them putting their time and  
7 efforts into working with these  
8 permit systems.

9 Some of you may have said, well,  
10 I haven't heard from Don Knight  
11 lately. Well, the reason you hadn't  
12 is because we turned it over to our  
13 counties. Each county is different.  
14 Each county has different things that  
15 need to be done.

16 We've got people appointed all  
17 over the state working on these  
18 permit systems. And we certainly  
19 appreciate the efforts that's gone  
20 into them. And we think they will  
21 work. We will support them in any  
22 county in the state. We won't have a  
23 problem with permit systems at all.

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1           It is going to take some patience.  
2           It's going to take a lot of respect  
3           between the hunters -- and I think  
4           you've seen here today with these  
5           people getting up here. I think  
6           that's respect for each other. And  
7           that's what it's going to take to  
8           make this work, but it can work.

9           The gentleman in Crenshaw County,  
10          it sounds like he's really got a  
11          problem. The only thing I would  
12          recommend is some way to enforce  
13          against these people that are causing  
14          this problem. Not the sport itself.  
15          If we regulate against it, which if  
16          you do, we'll support that too, if  
17          that's what you choose to do, but if  
18          we could punish these people some  
19          way, if we can enforce against these  
20          people and get them out of hunting --  
21          because if they're not dog hunting,  
22          they're still going to be a problem,  
23          is what it sounds like. And I feel

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1 bad about the situation.

2 But if there's some way we can  
3 enforce this problem in Crenshaw or  
4 any other county, against the people  
5 themselves, the Alabama Dog Hunters  
6 Association will support that 100  
7 percent.

8 We want these people off the road  
9 because they're costing our way of  
10 hunting. We'll support that in any  
11 way we can and in any way.

12 I have a couple of things I'm not  
13 even going to go into in on Lamar  
14 County. Those do not have any  
15 convictions. I heard the complaints.  
16 I don't know how many convictions  
17 there were on that. I have that  
18 information and maybe I'll get back  
19 with you and talk with you on that.  
20 Because a complaint is one thing, a  
21 conviction is totally something else.  
22 So I'll just hold on that.

23 I'd also like to ask today that

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1           whatever you do with the regulation  
2           on black powder hunting, we'll  
3           support it. But I would like for you  
4           to take a look at the scope issue on  
5           the black powder guns. Because  
6           unless they've changed the  
7           recommendation, I haven't had a  
8           chance to read over it. There's a  
9           certain part of the season when  
10          you're hunting with your black powder  
11          gun and you can use a scope, and  
12          there's a certain part of the season  
13          when you're black powder hunting, you  
14          can't use a scope. Putting it on and  
15          off is a lot of problems. And I  
16          would just ask the conservation  
17          department to look into that and see  
18          if it's possible to either use a  
19          scope year 'round on black powder or  
20          not to use a scope. Either way you  
21          want to go will be fine. Let's make  
22          it one way or the other.

23                   CHAIRMAN MOULTRIE: Hold on. Mr.

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1           Andress, what is the current  
2           regulation on that?

3           MR. ANDRESS: During the special  
4           muzzleloader season, scopes are not  
5           allowed on muzzleloaders. They're  
6           only allowed during the part of the  
7           regular gun/deer season. You CAN put  
8           a scope on any type of rifle.

9           MR. Coles: Mr. Chairman, why  
10          would scopes be taken off during the  
11          special season? What is the purpose?

12          MR. ANDRESS: I don't think they  
13          ever were put on to start with. They  
14          implemented the muzzleloader season  
15          from a primitive weapons thing. I  
16          think it's just that primitive  
17          weapons and it was just never  
18          included, was never put on there.

19          MR. HATLEY: I've got a question.  
20          I wanted to know, can you not change  
21          that simply by regulation, just you  
22          making the change?

23          CHAIRMAN MOULTRIE: That would be

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1 by regulation. And it does require a  
2 regulated change. That's in the  
3 specifications for legal arms and  
4 ammunition. Changes would need to be  
5 made in that.

6 MR. HATLEY: Not any way you can  
7 change it simply by just not putting  
8 the word "scope" on there?

9 CHAIRMAN MOULTRIE: You could  
10 just drop the wording "no scope"  
11 basically, you could -- would be  
12 fairly simple drop the words  
13 basically "no scope".

14 MR. HATLEY: Could we encourage  
15 you to do that?

16 CHAIRMAN MOULTRIE: If you move  
17 to adopt that measure or recommend  
18 that and we'll see.

19 MR. HATLEY: When it comes time  
20 for a motion, I will make that  
21 motion.

22 CHAIRMAN MOULTRIE: Do you have  
23 anything else on your time?

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1           MR. KNIGHT: Yes. I just wanted  
2           to bring up one more thing. Back in  
3           March, I heard something from this  
4           Board than I hadn't heard in many  
5           years. I got a lot of respect for  
6           you gentlemen and you ladies and all  
7           that's up here, but what I heard back  
8           in March was a concern for the  
9           average common hunter.

10          And, basically, you gentlemen  
11          over here. I just want to tell you  
12          that we appreciate that, because I  
13          found in this state talking to a lot  
14          of hunters and what I see is in about  
15          ten years -- and I think I'm being  
16          very liberal in saying ten years --  
17          the average wage earner in the state  
18          of Alabama is not going to be able to  
19          afford to hunt in their own state.  
20          It's going out of sight.

21          And I heard some concern for  
22          that in this March meeting. And I  
23          just want to let you people know and

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1 we appreciate that. And that's not  
2 talking about the dog hunter. That's  
3 usually the average income earner.  
4 We've got rich folks and we've got  
5 poor folks in Alabama. I'm not  
6 talking about the dog hunters right  
7 now. I'm talking about all hunters.  
8 And we thank you for that respect.  
9 And we hope that you will pass the  
10 permit systems to give this dog  
11 hunting situation a chance to work  
12 any way you can and we will accept it  
13 and support it.

14 CHAIRMAN MOULTRIE: Thank you,  
15 Mr. Knight.

16 The next speaker is Larry Davis.

17 The next speaker is Tommy  
18 Sanders.

19 MR. SANDERS: Mr. Chairman,  
20 Commissioners of the Board. I'm  
21 privileged to be here today. I am  
22 Tommy Sanders from Brantley County.  
23 And before the ban on the dogs in

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1           Brantley County, we did not have a  
2           hunting club east of the State  
3           Highway 43. But we have several  
4           clubs on the west side that would  
5           like to work with the conservation  
6           department in any way that they can  
7           to have a drive to run their dogs on  
8           their leased land.

9           And there is four clubs in our  
10          county that has turned their leased  
11          land in this year to International  
12          Paper because they can't get enough  
13          members to get back in because they  
14          can't dog hunt.

15          And there's several more clubs  
16          that's going to have to give their's  
17          up because people just aren't going  
18          to pay the high membership to get  
19          back in and they can't hunt with  
20          dogs.

21          And I hate to see this happen  
22          because a lot of people is going to  
23          be out and not going to be able to

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1            hunt. And I would appreciate  
2            anything that the Board would do to  
3            try and help Franklin County in some  
4            way to run dogs. If you've got  
5            problems in your clubs and all and  
6            can't solve them, you don't need to  
7            dog hunt.

8            But I believe that people will  
9            work together and can work their  
10           troubles out and have a good  
11           relationship with their neighbors and  
12           get along. I know we do in our club.

13           And, also, I brought before the  
14           Board two years ago about turkey  
15           season in Brantley County. And if  
16           there would be any way possible, I  
17           would like to see our season backed  
18           up in line with Marion County or the  
19           neighboring county. We're not asking  
20           for more days. We're just asking to  
21           back it up. You cut it off April the  
22           15th, that's fine.

23           Thank you for your time.

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1                   CHAIRMAN MOULTRIE: Thank you,  
2                   Mr. Sanders.

3                   MR. WILLIS: On the issue in  
4                   Franklin County there, Mrs. Lewie,  
5                   her husband is a commissioner in  
6                   Franklin County, and he's in the  
7                   right. And she has a couple of  
8                   brother in-laws and father-in-law and  
9                   what-have-you, and she asked me to  
10                  ask the Board if under this permit  
11                  system if the Board could find a way  
12                  that they might be able to issue a  
13                  permit to her and her in-laws and  
14                  what-have-you, landowners in Franklin  
15                  County at the west end of the county  
16                  so when her husband comes home from  
17                  Iraq he'll have a place to hunt with  
18                  the dogs. He likes to hunt deer.

19                  So I delivered the message.

20                  CHAIRMAN MOULTRIE: Is there  
21                  anyone else who did not get a chance  
22                  to talk or needs to say one more  
23                  thing quickly?

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1                   Mr. Dumont.

2                   MR. DUMONT: I signed up for deer  
3 but I also speak about doves in the  
4 southern zone and I'll do that  
5 quickly.

6                   We had a great dove season in  
7 south Alabama this last year. It got  
8 started a little slow for some  
9 reason. There weren't as many doves  
10 right at the beginning but then it  
11 caught up and it did great.

12                  I've noticed -- I've been shown  
13 the department's recommendation which  
14 is very close to what Carol McKeithen  
15 suggested. I hunt with them a lot.

16                  I would have suggested that we  
17 just slide the first season back a  
18 week rather than taking a week off of  
19 the third season and putting it up on  
20 the first. But, you know, as you  
21 know, this is not rocket science.  
22 And the weather changes every year  
23 and it makes a lot of difference, so

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1 if there's any way we could.

2 But we really appreciate the  
3 three season split you gave us last  
4 year. It worked out really great.  
5 It gave everybody an opportunity  
6 during Thanksgiving.

7 The group that I hunt with love  
8 to hunt in the winter. We like it to  
9 go as late as it can, the frame work  
10 and we appreciate the department's  
11 continuing that.

12 I strongly agree with Mrs.  
13 McKeithen that we should not have a  
14 mourning dove shoot in the south.  
15 They got stuck on that a few years  
16 ago, one year, and it's just so many  
17 people that tend to double-dip:  
18 Shoot in the morning and come back  
19 and shoot in the afternoon.

20 I would strongly urge you to drop  
21 the morning shooting in the southern  
22 region. Thank you.

23 CHAIRMAN MOULTRIE: Thank you,

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1           very much. One more and this will be  
2           the last speaker.

3                   MR. VINCENT: I'm Judd Vincent  
4           from Edmon, Alabama. It's good to  
5           see everybody working here today and  
6           I appreciate the efforts that people  
7           have done in the counties, working on  
8           dogs and everything, and permits for  
9           the landowners and leases. I  
10          appreciate that and I stand behind  
11          those.

12                   We have a lot to say and so  
13          little time. One thing that I had a  
14          question about and it's pointed to  
15          the conservation officer and I  
16          suppose it's a good time to bring it  
17          up. People -- I had to get that on  
18          there to get y'all to consider, stalk  
19          hunting with (inaudible) shot and  
20          that's been something that maybe  
21          something to look into. I don't know  
22          if it came on the rules, you know, 30  
23          years ago, 50 years when it happened.

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1 But, I think it afterwards a great  
2 opportunity for a child and I've got  
3 a daughter that's seven and I've got  
4 a son that's three, he's not going to  
5 be hunting quite yet. But my  
6 daughter when we're sitting in the  
7 shooting house and she's able to  
8 handle a shotgun, a deer comes, you  
9 know, she has a chance to do that, it  
10 affords her a better opportunity than  
11 it does now right with the  
12 difficulties of maneuvering a hand  
13 rifle and scope and trying to get  
14 that into the objective just right.  
15 They just don't have the capabilities  
16 at that age. And I was wondering if  
17 y'all would consider looking at that.  
18 There are times where I've hunted  
19 some patches where there were some  
20 dense woods. And I'm not talking  
21 about where I see something moving  
22 and I go shoot, but, you know, still  
23 be a way of shooting but would have a

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1           better opportunity for the kid to be  
2           able to use buck shot in this places.

3           I own land in Henry County. I  
4           own land in Houston County. I have  
5           one tract that actually goes across  
6           the line. Part of it's in Henry  
7           County, part of it is in Houston  
8           County. That one part I couldn't  
9           hunt with buckshot and shoot. Just  
10          across the line, you could, but I  
11          could not. Now, I understand maybe  
12          it was a safety issue that brought  
13          that up to start with. If it's safe  
14          for me to do it on one side of the  
15          county line, it's safe for me to run  
16          on that other property line on this,  
17          Houston County where it's not.

18          One other contradiction I found,  
19          is there is a permit system they  
20          brought up in folks want the dog  
21          hunting, one of those things was not  
22          using rifles for dog hunting but  
23          buckshot only. So, if it's a safety

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1           issue that automatically contradicts  
2           what was put up before about the  
3           safety issues.

4           So, you know, I'd like for y'all  
5           to take consideration on that.

6           CHAIRMAN MOULTRIE: Thank you  
7           very much.

8           We're going to recess now for  
9           approximately thirty minutes. Please  
10          be back promptly. It's approximately  
11          15 to 1:00. At about 1:15, we will  
12          continue on.

13

14                           (Recess taken.)

15

16          CHAIRMAN MOULTRIE: Everyone get  
17          ready to take their seats.

18          The next order of business is the  
19          proposed regulations. First, I'd  
20          like to call the director from marine  
21          resources, please.

22          MR. MINTON: Thank you. First,  
23          we'd like you to take out for your

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1 review the department regulations on  
2 shrimp enclosures. If you would, in  
3 your packet that I think has been  
4 presented to you, there are several  
5 maps there.

6 It looks like this here.

7 If you would like to follow  
8 along. These are tabbed for you  
9 under shrimp enclosure, maps. I am  
10 going to turn this over to Mr. Heath.

11 MR. HEATH: Gentlemen. As you  
12 heard this morning, there is a  
13 tremendous amount of controversy over  
14 this and we have some proposals. The  
15 Mobile Bay National Estuary Program,  
16 NEP, has had a good bit of fruitful  
17 discussions, and several discussions.  
18 Alabama Wildlife Federation in order  
19 to try to maximum protection of the  
20 grass beds in that area plus the  
21 by-catch of small fish, shrimp and  
22 crab. If you look at the map on the  
23 next page, you will see the area that

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1           was offered in response with the  
2           shrimp fishermen several weeks ago.  
3           This would have protected a smaller  
4           area as you can see. Neither of  
5           these groups can be recognized  
6           (inaudible) to either of the other  
7           position.

8                     So what we would like to  
9           recommend at this point is shown in  
10          map c as a compromise between those  
11          two positions.

12                    And as you can see, the NEP has  
13          proposed to establish as shrimp  
14          nursery areas in the upper Mobile bay  
15          north of Dog River and west of the  
16          Mobile ship channel. In the upper  
17          Mobile bay north of a line from the  
18          Arlington Channel to Mayday Pier.  
19          In upper Mobile bay within one-half  
20          mile of the shoreline on the eastern  
21          shore between Mayday Pier and Great  
22          Point Clear. In Mobile County north  
23          of a line beginning at the

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1 Mississippi State Line running along  
2 the Rigolets to Point Aux Pins then  
3 east to the beacon in the Bayou La  
4 Batre ship channel and then southeast  
5 to the northwest point of the middle  
6 cut that bisects Coffee Island, this  
7 includes Grand Bay.

8 Now, these closures in addition  
9 to the Grand Bay closure both would  
10 protect the value of the vast  
11 majority of the grass beds and the  
12 by-catch that we are interested in  
13 trying to protect.

14 Also keep in mind that this has  
15 been proposed all along as something  
16 that would be studied and at the end  
17 of the three years would be  
18 re-examined about whether or not this  
19 closure is doing what we anticipated  
20 it would do or not.

21 Based on the data that we have  
22 since 1988, we think that this will  
23 improve the wetlands locations to

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1 both sides.

2 However, we are interested in  
3 continuing the study and at the end  
4 of the three years we will re-examine  
5 it and decide exactly what is going  
6 on at that point.

7 So we would at this time  
8 recommend to you the map as  
9 illustrated in c.

10 If we could go through a couple  
11 of other changes. The second change  
12 would be to allow individuals to use  
13 a dip net that measure no more than  
14 twelve inches by twelve inches to  
15 take bait shrimp in Weeks Bay.  
16 Several fishermen have asked for  
17 them, it's a restrictive piece of  
18 gear and it's pushed by hand and we  
19 don't feel that this will have any  
20 impact at all on the resources there  
21 and we are perfectly happy that that  
22 be done.

23 The third thing that has been

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1 requested by the bait dealers  
2 industry and is that we go ahead and  
3 make several closures that have been  
4 temporary in the past and make them  
5 permanently closed to the following  
6 areas to shrimping and that is north  
7 of Lillian Bridge, Little Lagoon and  
8 Perdido Pass all in Baldwin County.

9 Now, the reason this has been  
10 requested by the bait shrimp industry  
11 is that the waters north of Lillian  
12 Bridge are nursery/staging area for  
13 shrimp.

14 By permanently closing these  
15 areas live saltwater bait dealers  
16 would be able to pull legal 16-foot  
17 trawls when no areas are temporarily  
18 closed to shrimping. We recommend  
19 that this be done because these three  
20 areas are closed the majority of the  
21 year. Up above Lillian Bridge is  
22 impossible for a large boat to get to  
23 first of all because the shrimp that

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1           stay there are much smaller than  
2           anywhere else. The waters of Little  
3           Lagoon Pass and Perdido Pass are very  
4           restrictive and narrow and are very  
5           dangerous and hazardous to navigate.  
6           Plus, the nets that are set in these  
7           narrow passes greatly increases the  
8           fishing pressure on the shrimp that  
9           are leaving Perdido Bay and Little  
10          Lagoon.

11                 Are there any questions about  
12           these changes in the shrimp  
13           regulations?

14                 MR. HATLEY: Given the current  
15           low market price and high tools cost  
16           would this closure that we are  
17           talking about put any undue burden on  
18           the shrimpers themselves?

19                 MR. HEATH: It's our opinion that  
20           it won't for several reasons. One  
21           being due to the fact that the shrimp  
22           has been undersized for several years  
23           past.

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1           MR. HATLEY: Just assume for the  
2           sake of talking that we do come about  
3           this closure, while the study is  
4           transpiring and what is taking place,  
5           will both authorities be involved in  
6           having some input and be kept abreast  
7           of what is taking place here in those  
8           studies?

9           MR. HEATH: Yes. They will they  
10          will be given ample -- we hope to  
11          continue to investigate this with  
12          both groups and get input from both  
13          sides as well as take our own samples  
14          to try to determine whether it has  
15          had a positive effect or not.

16          CHAIRMAN MOULTRIE: Any other  
17          questions?

18          MR. SELF: Is there any way that  
19          this closure would have a negative  
20          impact on fish?

21          MR. HEATH: We have actually been  
22          looking at it from that prospective  
23          since 1988 and we don't expect to see

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1           that. One of the things that we will  
2           be looking at carefully over the next  
3           three years and taking our own  
4           samplings and how that would impact  
5           to us with this area being closed is  
6           that it will result in the harvest of  
7           much larger shrimp and more valuable  
8           shrimp. But we will certainly be  
9           looking at that carefully.

10           MR. SELF: No further questions.

11           CHAIRMAN MOULTRIE: Any other  
12           questions?

13           Mr. Minton?

14           MR. MINTON: Going to the next is  
15           the special oyster dredge season in  
16           two areas in Portersville Bay. To  
17           give a little bit of background.  
18           These oyster areas were developed and  
19           paid for with funds provided by Gulf  
20           Stream Pipeline as mitigation for the  
21           installation of pipes. And that  
22           means the use today is to plant shell  
23           and preserving and leave undeveloped

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1            areas and create oysters. These  
2            reefs were created specifically with  
3            the intent to test whether or not  
4            dredging could be utilized to benefit  
5            Alabama. We are at that point now to  
6            where those reefs are starting to  
7            produce harvestable-sized oysters.  
8            We feel like that over time we could  
9            monitor this and show whether or not  
10           dredging will work in this state as  
11           it does in the states of Mississippi,  
12           Louisiana and Texas.

13           Better than eighty percent of the  
14           oysters coming out of the Gulf of  
15           Mexico to ninety to ninety-five  
16           percent of those oysters come from  
17           private leases on the exclusively use  
18           of this type of dredge. This is not  
19           a large mechanical pump. This is not  
20           the type of operation that was  
21           allowed earlier that destroyed beds  
22           in Alabama. This is a small rake  
23           like instrument.

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1           We have further recommendation in  
2           here the sack limits. Biologists  
3           feel that the means by which oysters  
4           are taking makes no difference as  
5           long as the reefs are properly  
6           monitored and the sack limits  
7           enforced. For 100 years this state  
8           has looked at the pros and cons of  
9           dredging versus tonging. There have  
10          been many heated debates and very  
11          strong emotions on both sides. We  
12          recommend these two small areas in  
13          Portersville Bay in under your tabs  
14          there to be open to dredging. This  
15          will be closely monitored by MRED  
16          biological and enforcement personnel.

17          The final thing we have is a  
18          change in the net regulations. And  
19          because this is primarily an area  
20          where I need help, I will ask Major  
21          Jenkins to speak to that.

22          MR. JENKINS: Basically where the  
23          proposed changes are, there are three

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1 changes in the regulations. We have  
2 a big problem especially over in  
3 Grand Bay and some other areas.  
4 Require that gill, trammel or  
5 entangling nets or seines with a mesh  
6 size of less than 1 7/8 inch knot to  
7 knot have flots or corks at least two  
8 inches in diameter at intervals of  
9 five feet or less along the float  
10 line or a buoy with a diameter of at  
11 least six inches at intervals of  
12 fifty feet or less along the float  
13 line.

14 Provide that any person convicted  
15 of the violation of an unattended  
16 commercial gill, trammel or  
17 entangling net or seine receive three  
18 points toward the ten point system  
19 provided by the Alabama Code Section  
20 9-2-113. Also that commercial seines  
21 must be properly marked. We would  
22 just like to clarify that language.

23 CHAIRMAN MOULTRIE: Any

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1 questions?

2 MR. SELF: I'd like to make a  
3 motion that we accept the  
4 recommendation.

5 CHAIRMAN MOULTRIE: There is a  
6 motion. Is there a second?

7 MR. PORTER: I'll second it.

8 CHAIRMAN MOULTRIE: A motion has  
9 been made to accept the marine  
10 division recommendation.

11 Is there any discussion?

12 If not, all those in favor raise  
13 your hands?

14

15 (All board members raised  
16 their hands.)

17

18 CHAIRMAN MOULTRIE: All opposed?  
19 The motion passes.

20 Next I'd like to call the  
21 director of the marine police.

22 Mr. Kelley?

23 MR. KELLEY: We have three

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1 housekeeping-type proposed  
2 regulations here.

3 The first regulation that we'd  
4 like to amend on vessels that are  
5 documented by the U.S. Coast Guard as  
6 pleasure or recreational or coastwise  
7 and are used principally in Alabama  
8 or those remaining in the state for  
9 90 days or more shall be required to  
10 be registered in Alabama. This not a  
11 change to the law. It's just more or  
12 less clarifying for the people so  
13 that they better understand. This is  
14 nothing new. It's another way for us  
15 to put it in so the people can  
16 understand it.

17 And, also, there has always been  
18 a sort of unwritten policy that have  
19 a vessel that is registered in  
20 Alabama that's a documented vessel as  
21 a pleasure vessel that will not have  
22 to display their registration number  
23 but will be required to place their

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1           current year decal so that it shows  
2           on the forward half on the port and  
3           starboard sides that are registered  
4           in the state of Alabama.

5           We would rather have something  
6           people can see and understand better.

7           CHAIRMAN MOULTRIE: Is there any  
8           discussion? Questions?

9           Is there a motion?

10          MR. HATLEY: So moved.

11          CHAIRMAN MOULTRIE: Would you  
12          repeat the motion, please?

13          MR. HATLEY: Motion to accept the  
14          recommendation from the marine police  
15          division.

16          CHAIRMAN MOULTRIE: There is a  
17          motion. Is there a second?

18          MR. JOHNSON: Second.

19          CHAIRMAN MOULTRIE: There is a  
20          motion to accept the marine police  
21          regulations. Is there any  
22          discussion?

23          If not, all those in favor raise

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1           your hands?

2

3                       (All board members raised  
4                       their hands).

5

6                       CHAIRMAN MOULTRIE: All opposed?  
7                       The motion carries.

8                       MR. KELLEY: The second  
9                       Recommendation on here that  
10                      recreational vessels and residence  
11                      boats operating or moored solely on  
12                      fresh water that have a type III  
13                      marine sanitation device, holding  
14                      tanks, with overboard discharge  
15                      capabilities shall be required to  
16                      have overboard discharge ports sealed  
17                      closed by a marine police office. It  
18                      would be a violation for any person  
19                      to remove, break, destroy or  
20                      otherwise mutilate a seal that had  
21                      been placed the a marine office. And  
22                      upon conviction, that person be fined  
23                      not less than \$100 and not more than

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1           \$1000.

2           The second regulation change is  
3           that no manufacturer shall offer for  
4           sale any vessel without a capacity  
5           plate permanently affixed to the  
6           vessel as specified by the U.S. Coast  
7           Guard Standards and Regulations.

8           CHAIRMAN MOULTRIE: Is there any  
9           discussion from the board?

10          If not, is there a motion?

11          MR. COLES: I so move.

12          MR. PORTER: Second.

13          CHAIRMAN MOULTRIE: There is a  
14          motion and a second to approve the  
15          second regulations from marine police  
16          to the regulation changes.

17          Is there any other discussion.

18          If not, all in favor?

19

20                 (All members of the board  
21                 raised their hands.)

22          CHAIRMAN MOULTRIE: The motion  
23          carries.

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1           MR. KELLEY: Another  
2           housekeeping-type matter is the  
3           horsepower limitations and we ask  
4           that this be repealed in its  
5           entirety. We felt like it was  
6           redundant and we would ask this be  
7           repealed?

8           CHAIRMAN MOULTRIE: Any  
9           discussion?

10          Is there a motion?

11          MR. HATLEY: I so move that we  
12          adopt the housekeeping measure.

13          CHAIRMAN MOULTRIE: Is there A  
14          second?

15          MR. COLES: Second.

16          CHAIRMAN MOULTRIE: There has  
17          been a motion and a second to accept  
18          the marine police housekeeping  
19          motion.

20          If there is no other discussion,  
21          all those in favor please raise your  
22          hands.

23

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1                   (All board members raised  
2                   their hands.)  
3

4                   CHAIRMAN MOULTRIE: The motion  
5                   carries.

6                   MR. KELLEY: We would like you to  
7                   consider a new regulation that it  
8                   would be unlawful to hunt or  
9                   discharge a weapon within 100 yards  
10                  of any commercial barge facility on  
11                  the waters of this state. We have  
12                  had some problems on the Tennessee  
13                  River and in other areas of the state  
14                  that have a lot of barge off-loading  
15                  of hazardous materials. And a lot of  
16                  hunters, especially dove hunting is  
17                  like a magnet to a barge. And a  
18                  barge and the shooting of doves and  
19                  other wildlife coming in is a problem  
20                  and is dangerous to the workers on  
21                  these barges. And there's red flag  
22                  barges and a red flag means anything  
23                  on that barge is hazardous to your

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1 health and could kill you if it  
2 accidental leaks. We are asking that  
3 this regulation adopted and is more  
4 or less a homeland security-type  
5 regulation and is also a security to  
6 hunters and boaters.

7 CHAIRMAN MOULTRIE: And what is  
8 the regulation?

9 MR. KELLEY: It shall be unlawful  
10 to hunt or discharge a weapon within  
11 100 yards of any commercial barge  
12 facility on the waters in this state.  
13 It I want to go with the read the  
14 second.

15 The other one would be a marine  
16 and sanitation law that would help us  
17 enforce somehow recreational and  
18 residence boats operating or moored  
19 solely on fresh water that have a  
20 type III MSD would ultimately have  
21 overboard discharge capabilities  
22 required to have overboard discharge  
23 ports sealed closed by a marine

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1 police officer. And make it that as  
2 long as they have it in fresh water  
3 lakes that there is locking devices  
4 and it could be something like a  
5 wire-tie type of a thing.

6 MR. PORTER: In the previous  
7 question, how do you define barge?  
8 Within 100 yards of any commercial  
9 barge facility seem to be kind of a  
10 little bit ambiguous to me.

11 And off-loading of supplies?  
12 Whatever they have on board?

13 MR. KELLEY: Like grain  
14 facilities out in an area, in a big  
15 area they could have it marked as  
16 they are off loading facilities.

17 MR. PORTER: Again, it seems to  
18 be a little vague. Exactly where  
19 would the 100 yards start?

20 MR. KELLEY: I can't answer  
21 exactly -- 100 yards from that  
22 facility.

23 MR. PORTER: Of the barge

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1           itself?

2           MR. WILLIS: Talking about on the  
3           Tennessee River -- on the Tennessee  
4           River next to a coal or a steam plant  
5           up there, you are talking about if  
6           they fired in the air with all that  
7           coal dust, you fire up there you  
8           could burn all of them down.

9           MR. KELLEY: Yes, sir, the  
10          workers out there on the barge

11          CHAIRMAN MOULTRIE: Very good.  
12          Any other discussion or comments?

13          MR. SMITH: I move that we accept  
14          both marine police regulations and  
15          hunting regulations.

16          CHAIRMAN MOULTRIE: Is there a  
17          second?

18          MR. HATLEY: I second that.

19          MR. PORTER: Let me restate the  
20          motion. There's a motion and a  
21          second to accept the marine police  
22          new regulations and also have the  
23          regulations to appear in both

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1 conservation and marine police --

2

3 (Simultaneous conversation)

4

5 MR. PORTER: I didn't hear that.

6 CHAIRMAN MOULTRIE: Any other  
7 discussion?

8 There is a motion and a second to  
9 approve the marine regulations that  
10 it is unlawful to hunt or discharge a  
11 weapon within 100 yards of any  
12 commercial barge facility, if no  
13 further discussion, all in favor?

14

15 (All members raised their  
16 hands.)

17

18 CHAIRMAN MOULTRIE: The motion  
19 carries.

20 Is there a motion for the second  
21 item of the new regulations of the  
22 marine police?

23 MR. LYNCH: I make the motion

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1           that we accept the second.

2           MR. COLES:   Second.

3           CHAIRMAN MOULTRIE:   We have a  
4           motion and a second to accept the  
5           marine police recreational vessels  
6           with a type III be sealed by the  
7           police, do we have any discussion?

8           The motion on the marine police  
9           recreational vehicles, all in favor  
10          raise your hands?

11

12                       (All board members raised  
13                       their hands.)

14

15          CHAIRMAN MOULTRIE:   All opposed?  
16          The motion carries.

17          Is that all Mr. Kelley?

18          MR. KELLEY:   Yes.   Thank you.

19          CHAIRMAN MOULTRIE:   Next we have  
20          Corky Pugh.

21          MR. PUGH:   Thank you.   Mr.  
22          Chairman.   We have -- I have several  
23          motions pertaining to the new season

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1 and so forth.

2 CHAIRMAN MOULTRIE: Do you have  
3 those written?

4 MR. PUGH: I had recommended that  
5 and these deal with these general  
6 regulations, falconry and hunting by  
7 a motor vehicle first. And then deal  
8 with seasons and limits and get those  
9 three general regs out of the way  
10 first.

11 CHAIRMAN MOULTRIE: Is that a  
12 concern, any of those items on your  
13 motions?

14 DR. MAY: I didn't hear you on  
15 your --

16 MR. PUGH: We have got three  
17 general regulation changes that are  
18 not seasons and limits. One of them  
19 deals with falconry, the other one  
20 with feral swine, the other one is  
21 hunting by aid of a motor vehicle and  
22 I would recommend that we deal with  
23 those general regs first and then

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1 deal with seasons and limits.

2 CHAIRMAN MOULTRIE: I don't see  
3 any problem with that.

4 Go ahead, sir.

5 MR. PUGH: Some time ago the  
6 board adopted a very restrictive  
7 regulation dealing with the movement  
8 of feral swine within the state. And  
9 that regulation is very much needed.  
10 We don't need people moving wild hogs  
11 around. However, that was written  
12 very, very restrictively.

13 In your packet, you've got a  
14 regulations change that we are  
15 recommending that permits the  
16 regulated movement of feral swine for  
17 legitimate purposes such as meat  
18 processing and feeding before  
19 slaughter under the supervision of  
20 the local officer to ensure that the  
21 animals are not unlawfully released.

22 Do you want to deal with these  
23 one at a time or --

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1           CHAIRMAN MOULTRIE:  Why don't you  
2           go ahead and do all three of them.

3           MR. PUGH:  You also have in your  
4           packet, a requested change in the  
5           falconry regulations having to do  
6           with early date, the beginning date  
7           that raptors can be captured for  
8           falconry purposes.  Falconers have  
9           requested that we move the starting  
10          date to September the 15th.  It is  
11          now October 15th.  That will allow  
12          the falconer to trap the bird and  
13          begin training prior to the opening  
14          of squirrel season on October 1st.

15          The other southeastern states  
16          generally start from September 1st.  
17          We discussed that change the U.S.  
18          Fish and Wildlife Service and they  
19          support the change.

20          You also have in your packet a  
21          recommendation to amend the regs  
22          dealing with hunting by aid of a  
23          motor vehicle or vessel.  It would

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1 allow the use of a stationary vehicle  
2 when its use is simply as a stand or  
3 a shooting platform.

4 It allows persons with ambulatory  
5 problems, short term or long term, to  
6 sit in or on a vehicle to hunt.

7 It allows drift hunting by vessel  
8 for other species besides waterfowl.

9 This would in no way allow  
10 anybody to hunt from a motor vehicle  
11 on public roads.

12 CHAIRMAN MOULTRIE: Any other  
13 discussion on this?

14 MR. COLES: I have a question,  
15 Mr. Chairman.

16 CHAIRMAN MOULTRIE: Go ahead.

17 MR. COLES: When you move the  
18 feral swine -- and this is going to  
19 be getting a permit through one of  
20 the conservation officers; is that  
21 correct?

22 MR. PUGH: That's correct.

23 MR. COLES: Is this permit going

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1           to be in violation or in conflict  
2           with the Department of Agriculture  
3           industries movement of feral swine?  
4           Right now we deal with -- or I have  
5           been told we have a conflict in that  
6           the Game and Fish says it can't be  
7           moved but the agriculture and  
8           industry says they can be moved of  
9           the ones that are caught there on  
10          their own property.

11                 And we have had feral hogs  
12           released in the Covington County  
13           Management Area and in Geneva County.

14                 I know of one farmer in Coffee  
15           County who has documented over a  
16           hundred and forty feral hogs killed  
17           on his farm alone.

18                 Two years ago, he had to replant  
19           on 68-acre field of peanuts because  
20           of feral hogs. We have a problem in  
21           southeast Alabama.

22                 And, you know, is this not going  
23           to be in any conflict with the

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1 Department of Agriculture and  
2 Industries?

3 CHAIRMAN MOULTRIE: Mr. Andress,  
4 would you address that, please, sir?

5 MR. ANDRESS: As a matter of  
6 fact, part of the contact we had with  
7 the Department of Ag was requesting  
8 that people be allowed to -- for  
9 certain legitimate circumstances to  
10 live-catch of feral swine hogs to a  
11 slaughter house. So it is not going  
12 to be in conflict with them.

13 DR. COLES: Mr. Chairman, I make  
14 a motion to accept these resolution  
15 changes.

16 MR. HATLEY: I second that  
17 motion.

18 CHAIRMAN MOULTRIE: We have a  
19 motion and a second to accept the  
20 proposed regulations from the  
21 Wildlife and Freshwater Fisheries on  
22 feral swine and hunting by aid of a  
23 motor vehicle. Is there any other

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1 discussion?

2 If not, for the motion of the  
3 proposed regulations from Wildlife  
4 and Freshwater Fisheries of the feral  
5 swine, falconry and hunting by aid of  
6 a motor vehicle, all those in favor  
7 raise your hands.

8  
9 (All members raised their  
10 hands.)

11  
12 CHAIRMAN MOULTRIE: All opposed?  
13 The motion carries.

14 DR. MAY: I have several  
15 motions and several of them, as I  
16 understand it, are regulations that  
17 some of them relate to the Alabama  
18 Game, Fish and Wildlife -- as I  
19 understand it, we ask that the  
20 legislation be changed, is that  
21 correct, of laws that are already on  
22 the books?

23 MR. PUGH: Statutes, yes, sir.

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1 DR. MAY: My first motion is on  
2 turkey season. I make a motion that  
3 turkey decoys are legal to use during  
4 spring turkey season.

5 CHAIRMAN MOULTRIE. Is there a  
6 second?

7 MR. JOHNSON: I second it.

8 CHAIRMAN MOULTRIE: There's a  
9 motion and a second for turkey decoys  
10 to be used during spring turkey  
11 season. Is there any discussion?

12 MR. PORTER: I'm speaking against  
13 the motion for a number of reasons.  
14 Our harvest this year is 63,000 birds  
15 and it's obvious that the resource  
16 is being properly managed. I don't  
17 know what kind of effect -- and I  
18 don't think there has been any study  
19 that I have seen concerning the  
20 effect or the possible adverse  
21 consequences that this would have on  
22 the resources.

23 I haven't heard one thing and I

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1           haven't seen anything on that at all.  
2           And if it's going to have the  
3           potential for damaging this resource,  
4           I think -- I would urge that this not  
5           be adopted.

6                       Secondly, I think other states  
7           like Iowa, particularly, where it's  
8           gone from actually -- I know turkey  
9           hunting in Iowa was a shooting  
10          exercise because of the mechanical  
11          type of decoys that you have, the use  
12          of calling devices and that sort of  
13          thing. And there was a gentleman  
14          that pointed out earlier that trains  
15          a lot of youngsters. And I've been  
16          teaching these kids skills and  
17          calling skills instead of setting up  
18          decoy-type skills.

19                      I've got friends from Missouri  
20          that has a great turkey population  
21          and they come to Alabama because they  
22          like to hunt here because we do it  
23          right way. And you really ruin the

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1           entire experience by integrating the  
2           use of a decoy.

3           I would strongly urge that this  
4           motion be defeated.

5           CHAIRMAN MOULTRIE: Mr. Hatley?

6           MR. HATLEY: I also would like to  
7           speak against this motion. After 41  
8           years in turkey hunting experience, I  
9           consider myself a turkey hunter. And  
10          turkey hunting for those of you who  
11          do turkey hunt, consider it an art  
12          and is one of the truly skilled  
13          hunting that we have left in the  
14          United States.

15          And I see no value -- I hunt all  
16          over the United States and I see no  
17          value in using a turkey decoy. And  
18          it has been pointed out on many  
19          occasions that with the type of  
20          weaponry and shells that we have  
21          today and with the camouflage that we  
22          have today, when you set a turkey  
23          decoy out there you're not -- you're

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1 not doing anything but falsely luring  
2 in and ruining a truly unique hunting  
3 experiencing. You're ruining it.

4 And I am vehemently opposed to  
5 the use of the turkey decoys in the  
6 state of Alabama.

7 And at this time, I would like to  
8 ask for some input from the staff  
9 before we call this for a vote.

10 MR. PUGH: There is an abundance  
11 of turkeys that's unsurpassed  
12 anywhere in the nation. One of the  
13 primarily factors in bringing about  
14 this abundance was the removal of the  
15 rifle as a means of harvest on the  
16 turkeys at a point in time when that  
17 was a very popular way of hunting  
18 turkeys.

19 Historically, the worst failures  
20 in resource management have occurred  
21 when people have thought with any  
22 given species as an inexhaustible  
23 resource. For example, look no

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1 further than right here. And what  
2 happened with the snapper resource  
3 when it was thought of in that  
4 way, of being an inexhaustible  
5 resource.

6 We have the responsibility to  
7 balance what might be popular today  
8 versus what's in the long term  
9 overall best interest of the resource  
10 and hunting.

11 The ultimate judgment of our  
12 success or failure lies not in the  
13 fleeting popularity of fads or  
14 gadgets. The true judges of our  
15 success or our failures will be our  
16 children, our grandchildren and their  
17 children after them.

18 CHAIRMAN MOULTRIE: Any  
19 discussion?

20 Mr. Brantley?

21 MR. BRANTLEY: Are there any  
22 studies out there that say the use of  
23 a decoy reduces the chance of a

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1           hunter being shot versus the decoy  
2           being shot by anybody that comes in  
3           on him or her?

4           CHAIRMAN MOULTRIE: Did you want  
5           to say something? Go ahead, Mr.  
6           Pugh.

7           MR. PUGH: I'm not aware of any  
8           study one way or the other on that.

9           CHAIRMAN MOULTRIE: I believe,  
10          Mr. Brantley, the question was is if  
11          you want to know if it's safe to hunt  
12          with a decoy as without a decoy?

13          MR. BRANTLEY: Yeah. I thought I  
14          read that somewhere that some states  
15          after they had introduced decoys,  
16          their incidents of hunters being shot  
17          went down after that.

18          MR. PUGH: I've heard arguments  
19          both ways. I'm not aware. Some  
20          people argue that the decoy may draw  
21          a hunter into a position to fire in  
22          the direction of the hunter who is  
23          set up the decoy.

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1           Other people argue that they  
2           decoy will become the target rather  
3           than the hunter.

4           MR. BRANTLEY: Thank you.

5           CHAIRMAN MOULTRIE: Dr. May?

6           DR. MAY: I disagree with what  
7           has been said. I've opposed numerous  
8           turkey hunters, old and new before.  
9           I made this motion. And even some of  
10          the oldest can learn from it and said  
11          they had no problem with it. Maybe  
12          it would encourage young people and  
13          maybe it would encourage some sixty  
14          or seventy year old people that want  
15          to turkey hunt that's never turkey  
16          hunted that maybe don't have the  
17          confidence that they could go out  
18          there and call. And if they have a  
19          decoy, that might give them the  
20          confidence to get out there and maybe  
21          go with their kids.

22          I asked one old turkey hunter, I  
23          said: What is your feelings on it,

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1 using decoys?

2 He said: I'm against it.

3 I said: Why?

4 Because it's going to take my  
5 advantage away. Then he laughed.

6 And he said: I don't mind if a  
7 person wants to use it. He said:  
8 I'm not going to use them.

9 But I don't think the privilege  
10 of a person wanting to use a decoy  
11 should be denied.

12 And I think it is a good thing.  
13 Like you say, most of the old turkey  
14 hunters are not going to use them.  
15 And a new turkey hunter or the  
16 neophytes would certainly, at least,  
17 get them out there.

18 I remember, I recall the first  
19 time I saw a video of spring turkey  
20 season hunting on television. And I  
21 sat there in the yard and I said, man  
22 this is great. And then I thought a  
23 minute and says, golly, every turkey

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1 hunter and every person in Alabama is  
2 going to see this. We're going to  
3 have turkey hunters running out our  
4 ears.

5 It was greed coming out. Greed.  
6 And I think we turkey hunters can get  
7 a disease of greed, too. I'm not  
8 going to use a decoy so I can kill a  
9 turkey. I just enjoy going out  
10 there. And I think other people  
11 should have a choice of using a decoy  
12 and get out there and then maybe  
13 eventually they'll quit using and  
14 start chasing them like I do.

15 But I think they should have that  
16 privilege if they want to.

17 CHAIRMAN MOULTRIE: Any other  
18 discussion?

19 MR. HARBIN: I think just because  
20 it's on the books, it doesn't mean  
21 you have to use them. I mean, nobody  
22 is forcing you to use them. It's  
23 your choice.

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1                   CHAIRMAN MOULTRIE:   Mr. Johnson?

2                   MR. JOHNSON:   That gentleman just  
3                   made the comment that I was fixing  
4                   to, that just because they're able to  
5                   use them doesn't mean that they would  
6                   be able -- that they're required to  
7                   take one out.

8                   I've been a turkey hunter for  
9                   probably forty years or better and  
10                  I've never used a decoy.   But I think  
11                  those that would like to use it, and  
12                  especially the ones that would be  
13                  disabled or something along that  
14                  line, it could be an advantage to him  
15                  so I recommend it.

16                  MR. SELF:   Mr. Chairman, I'd like  
17                  to make a comment on that and ask the  
18                  board to consider a couple of things  
19                  before they vote on this.

20                  Number one, everyday here in  
21                  Alabama we are losing hundreds of  
22                  acres daily of turkey habitat.   Our  
23                  place to hunt is shrinking by the

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1 millions.

2 And what we do here today may not  
3 have any effect next year or the year  
4 after, but it sure as heck is going  
5 to have some effect maybe two years  
6 down the road.

7 Now, I've heard the argument that  
8 this is going to get more people to  
9 turkey hunt.

10 Well, the turkey hunting  
11 experience is not about killing a  
12 turkey. It's about hunting the  
13 turkey. It's about a boy or a girl  
14 getting up with his father in the  
15 morning before daylight, riding in a  
16 truck or a car into the woods,  
17 listening to the owls hoot, smelling  
18 the fresh leaves in the spring and  
19 hearing the turkey gobbling and then  
20 seeing the turkey.

21 The idea that decoys are going to  
22 make more people turkey hunt I think  
23 is absurd. And I'm vehemently

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1           opposed to legalizing turkey decoys  
2           in our state.

3           CHAIRMAN MOULTRIE: Any other  
4           discussion?

5           MR. JOHNSON: Mr. Chairman? I  
6           have a question.

7           CHAIRMAN MOULTRIE: The question  
8           has been called for.

9           MR. PORTER: I have an amendment  
10          to the motion.

11          CHAIRMAN MOULTRIE: The question  
12          has been called for and Mr. Porter  
13          has a -- this is a motion that calls  
14          for the previous question. The  
15          motion stops the (inaudible) and a  
16          vote is taken. Two-thirds vote is  
17          (inaudible) and a vote is taken on a  
18          motion on the floor and if it passes  
19          then the debate continues.

20          All of those in favor of  
21          continuing the discussion raise your  
22          hand.

23          MR. PORTER: The motion is --

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1 MS. NUMMY: One at a time,  
2 please.

3 CHAIRMAN MOULTRIE: We are voting  
4 on the questions. When there is a  
5 call for the question, it stops the  
6 debating. Two-thirds votes. We're  
7 voting right now whether to stop the  
8 debating.

9 All of those in favor?

10

11 (Misers Harbin, May, Coles and  
12 Lynch voted to end the  
13 discussion.)

14

15 (Misers Self, Hatley, Willis,  
16 Porter and Johnson voted to  
17 continue the discussion.)

18

19 CHAIRMAN MOULTRIE: Two-thirds  
20 vote, the debate continues.

21 Mr. Porter?

22 MR. PORTER: Thank you, Mr.

23 Chairman.

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1           The problem that I have on the  
2           decoys is if you're going to have it  
3           all, that you not allow any type of  
4           type of mechanized decoys. I don't  
5           know the right terminology about that  
6           and, Mr. Pugh, that may require some  
7           assistance.

8           MR. PUGH: Something like  
9           mechanized or electronic because  
10          there are emerging products and there  
11          will continue to emerge greater and  
12          greater refined products along the  
13          lines of mechanized and electronic  
14          decoys.

15          MR. PORTER: And maybe that would  
16          be an appropriate or a separate  
17          motion. I'll withdraw that.

18          CHAIRMAN MOULTRIE: Very good.  
19          Any discussion?

20          DR. MAY: I didn't hear all of  
21          this discussion.

22          CHAIRMAN MOULTRIE: It was on the  
23          merits of if a decoy has mechanisms

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1           to make it moveable, I guess. Would  
2           that be -- Mr. Pugh? A mechanized  
3           decoy instead of a decoy that stands  
4           still?

5           MR. PUGH: There are decoys  
6           already on the market that run around  
7           on a little toy train track and you  
8           can electronically control those  
9           decoys and make them do whatever kind  
10          of movements --

11          DR. MAY: I think when a decoy is  
12          used, it's always a stationary decoy,  
13          and if not you refer to it as a  
14          mechanize electronic decoy.

15          CHAIRMAN MOULTRIE: He withdrew  
16          it and is going to bring it up later.  
17          But with that and a motion and a  
18          second, there is a motion to legalize  
19          turkey decoys in the state of Alabama  
20          for turkey hunting. All of those in  
21          favor, raise your hand.

22

23                       (Four board members raised

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1                   their hands.)

2

3                   CHAIRMAN MOULTRIE: All those  
4 full opposed?

5

6                   (Four board members raised  
7 their hands: Misers Lynch,  
8 Smith, Porter and Self.)

9

10                  CHAIRMAN MOULTRIE: It's a tie  
11 vote. I finally get to vote and I'm  
12 not sure -- let's talk about it.  
13 I'll break the tie on the vote on  
14 this and I'm going to state some of  
15 my reasons. I do not use decoys.  
16 I've had an opportunity to use  
17 decoys. I've hunted all over North  
18 America. I've seen sometimes --  
19 every time thinks sometimes, I  
20 believe, that the decoy is an  
21 automatic slam dunk on killing a  
22 turkey. That is, in fact, not the  
23 case that I've seen. In some cases

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1           it actually runs away just the same  
2           as if the turkey gets called-shy,  
3           that turkey can be decoy-shy. And  
4           I've heard that from a lot of WTF  
5           people. However, I don't use decoys.  
6           But that's my choice and my  
7           prerogative; I enjoy doing that.

8           And in that case, I like the fact  
9           that if this was approved, we are not  
10          making anybody use decoys. We are  
11          not forcing that on anybody. We are  
12          creating, as Mr. Kelly said earlier,  
13          we are not taking it away, we are  
14          giving an opportunity. I'd like that  
15          said of it.

16          However, I have a problem with  
17          right now in the state it's legal to  
18          use deer, duck, dove and predator  
19          decoys. If there is an ethical  
20          reason not to use decoys -- I think  
21          all decoys probably should be  
22          removed. I don't see any difference  
23          between a calling a turkey or a dove.

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1           There's avid duck hunters who would  
2           love to argue, I'm sure, at any time  
3           the merits that their calling the  
4           doves is more important than somebody  
5           calling a turkey.

6           So, again, I don't believe it's  
7           an ethical reason that decoys are an  
8           unfair advantage. And we allow them  
9           for the other species, again, the  
10          deer, the dove, the duck and with  
11          that being said and with a lot of  
12          thought in this being done, I vote  
13          for decoys to be used.

14          The motion passes.

15          MR. PORTER: Again, I'd like to  
16          move that where the term decoy is  
17          used that it be preceded by the term  
18          either only non-mechanize decoys or  
19          stationary, whichever is the  
20          appropriate term.

21          MR. JOHNSON: I second the  
22          motion.

23          CHAIRMAN MOULTRIE: Would you

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1 restate that, Mr. Porter?

2 MR. PORTER: Dealing with the  
3 non-mechanized or stationary or what  
4 should be the wording be on that?

5 MR. PUGH: It would be  
6 non-mechanical or non-battery. I  
7 would say non-mechanized or  
8 non-battery.

9 CHAIRMAN MOULTRIE: Is there a  
10 second.

11 MR. JOHNSON: Second.

12 CHAIRMAN MOULTRIE: There is a  
13 motion and a second that they not be  
14 used in the state of Alabama,  
15 non-mechanical or non-electrical  
16 decoys be used in the state of  
17 Alabama.

18 Is there any discussion?

19 No discussion, then there is a  
20 motion and a second that mechanical  
21 and electrical decoys not be used in  
22 the state of Alabama. All those in  
23 favor? Turkey decoys. Excuse me.

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1 Turkey decoys.

2

3 (All board members raised  
4 their hands.)

5

6 CHAIRMAN MOULTRIE: All opposed?  
7 The motion carries.

8 DR. MAY: Muzzleloader only  
9 hunting season, page 5, of the new  
10 regulations. The motion is the  
11 season to read November 15 thru  
12 November the 19. Increasing it two  
13 days. Add two days on the front end  
14 to the 13 to the 15.

15 CHAIRMAN MOULTRIE: That's  
16 changing it to the 13th, Dr. May?

17 DR. MAY: Changing it from the  
18 13th to the 15th -- 17th to the 15th.

19 MR. JOHNSON: I second.

20 CHAIRMAN MOULTRIE:

21 MR. MEADOR: There is a motion  
22 and a second to increase  
23 muzzleloading from what is currently

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1 the 17th thru the 19th to the 15th to  
2 the 19th. Is there any discussion?

3 Being no discussion, there's a  
4 motion and a second to increase the  
5 muzzleloading season to run thru the  
6 15th thru the 19th instead of the  
7 17th thru the 19th.

8 All of those in favor, raise your  
9 hands.

10

11 (All board members excepting  
12 one raised their hands.)

13

14 CHAIRMAN MOULTRIE: All opposed?

15

16 (One board member, Dr. Smith,  
17 raised his hand.)

18

19 CHAIRMAN MOULTRIE: The motion  
20 carries.

21 DR. MAY: For doe season in the  
22 northern zone, I have a motion for a  
23 three way split season. I make a

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1 motion that the dates be changed from  
2 what is listed as a two way split and  
3 make a three way split season from  
4 September the 11th to September 25th  
5 and October the 30th to November the  
6 20th and December the 11th to January  
7 the 2nd, which the shooting hours  
8 will be the same as it was already.

9 MR. COLES: I second it.

10 CHAIRMAN MOULTRIE: There is a  
11 motion and a second for changing the  
12 current dove season in the northern  
13 zone to be a split season to run from  
14 September the 11th to September 25th,  
15 October the 30th to November the  
16 20th, December the 11th to January  
17 the 2nd.

18 Any discussion?

19 MR. SMITH: Mr. Chairman, I'd  
20 like to ask if the department has had  
21 time to look at this and --

22 CHAIRMAN MOULTRIE: Mr. Pugh?

23 MR. PUGH: No, sir, we have not

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1           had an opportunity to look at this.  
2           We, at least, need to have the  
3           opportunity to count the number of  
4           days here and make sure that they  
5           don't exceed what the federal law  
6           allows.

7           DR. MAY: 60 is the  
8           recommendation.

9           In fact, this is what I discussed  
10          with you by phone earlier when Mr.  
11          Pugh requested it at the last meeting  
12          that a split be made. If you recall,  
13          I called and discussed it with you on  
14          the phone.

15          MR. PUGH: Yes, sir, we did talk  
16          about some change but this is the  
17          first time that I have seen this  
18          document that was just passed  
19          around.

20          DR. MAY: This is the same as I  
21          discussed with you.

22          MR. PUGH: I don't remember if  
23          they are or not.

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1           CHAIRMAN MOULTRIE: Any other  
2           discussion?

3           There is a motion and a second to  
4           change the current north zone season  
5           to the split season being September  
6           the 11th to September 25th, October  
7           the 30th to November the 20th,  
8           December the 11th to January the 2nd  
9           as per your handout.

10          All of those in favor, raise your  
11          hand?

12  
13                   (All board members raised  
14                   their hands.)

15  
16          CHAIRMAN MOULTRIE: All opposed?  
17          The motion carries.

18          MR. WILLIS: Mr. Chairman?

19          CHAIRMAN MOULTRIE: Yes?

20          MR. WILLIS: If we get through  
21          with the turkey hunting, we would  
22          like to have a discussion to look at  
23          the biological reason for why Clarke,

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1 Franklin, Lawrence, Madison and  
2 Winston Counties couldn't be -- the  
3 turkey hunting season couldn't start  
4 March 15th to April the 30th. As of  
5 now it's April 1 through April 30th.  
6 Why are those counties -- why can't  
7 we start those counties at least by  
8 March 15th to whatever -- whatever it  
9 takes to get the number of days.  
10 Whatever we can do about it.

11 CHAIRMAN MOULTRIE: Mr. Pugh?

12 MR. WILLIS: The people that hunt  
13 in those counties, they want to start  
14 on March the 15th.

15 CHAIRMAN MOULTRIE: Mr. Pugh?

16 MR. PUGH: Yes, sir. The seasons  
17 in bag limits recommendations are a  
18 product of input from our field level  
19 staff all over the state. And those  
20 recommendations are assimilated by a  
21 group that is comprised of the  
22 assistant director and the section  
23 chiefs.

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1           I'd like to ask Mr. Moody to  
2           discuss what the reasoning is behind  
3           those counties being in that  
4           situation.

5           CHAIRMAN MOULTRIE: Mr. Moody?

6           MR. MOODY: If you recall, over  
7           the several years those areas in  
8           north Alabama were some of the last  
9           area to have turkey populated status  
10          and we're still just stocking turkeys  
11          in some areas up there. The turkeys  
12          have traditionally not done well in  
13          some areas, although they're doing  
14          pretty well now.

15          We are concerned that -- at least  
16          the field level biologists in talking  
17          to the turkey hunters up there, are a  
18          couple of concerns. One, is probably  
19          earlier in a lot of minds would not  
20          beneficial because of the most  
21          northern latitude these birds are.  
22          But the concerns is that this is what  
23          is required to keep the population

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1           viable and keep them moving and  
2           enough pressure being put on them  
3           with the season that we can always  
4           offer as much opportunity  
5           biologically as the birds can stand.  
6           And right now that's what our staff  
7           is comfortable with.

8           MR. WILLIS: Well, right now  
9           Marion County, Winston County -- why  
10          couldn't they start their season  
11          March 15th and let it be over April  
12          the 15th? They're not asking for any  
13          more days. Just that one county  
14          needs to be looked at from the  
15          standpoint --

16          MR. MOODY: Well, what we're  
17          today --

18          MR. WILLIS: Hunters have talked  
19          to me and said by April the 15th,  
20          they don't hear any more turkeys;  
21          they're gone.

22          MR. MOODY: I certainly can't  
23          argue with that because I haven't

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1           been there and listened to them but  
2           what our staff is hearing is just the  
3           opposite. They want it later because  
4           the birds don't start -- well,  
5           generally they're not seeing turkeys.  
6           It's not the same every year, for  
7           sure. Some years it's earlier, but  
8           in general the northern part of the  
9           state it's a little later getting  
10          started. That's where these  
11          recommendations come from.

12                 CHAIRMAN MOULTRIE: Does that  
13          answer your question Mr. Willis?

14                 MR. WILLIS: No. I can't  
15          understand it but there's no need to  
16          argument with him if that's what he  
17          says.

18                 CHAIRMAN MOULTRIE: Any other  
19          discussion?

20                 Dr. May?

21                 DR. MAY: I have discussed with  
22          Dr. Smith, and, of course, involved  
23          the feds on it --

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1                   CHAIRMAN MOULTRIE: On what?

2                   DR. MAY: It's on dove hunting.  
3                   And, of course, I can't do anything  
4                   about it. I have tried to get it  
5                   changed, but I still want to make a  
6                   motion and it pertains to normal  
7                   agriculture planting regulation  
8                   220-2-.114. It's in the Alabama  
9                   regulation, page 677. The motion is  
10                  to remove Marengo County from the  
11                  south zone to the central zone. They  
12                  border Wilcox and Sumter on both  
13                  sides and both of those counties in  
14                  the central zone have Marengo in the  
15                  southern zone. People I've talked to  
16                  in Marengo County have a lot of --  
17                  they prefer to have Marengo in the  
18                  central zone. I don't know what --  
19                  if there's anything that can be done.

20                  CHAIRMAN MOULTRIE: A motion has  
21                  been made, is there a second?

22                  MR. LYNCH: Second.

23                  CHAIRMAN MOULTRIE: There is a

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1 motion and a second to move Marengo  
2 County from the south zone to the  
3 central zone. Any discussion? I'd  
4 like to hear Dr. Smith.

5 DR. SMITH: Let me take a shot  
6 and maybe we can get a little  
7 clarification here and I may need  
8 some help and get Corky to do this.  
9 But we're dealing with two sets of  
10 zones here. There are planting zones  
11 that satisfy our (inaudible) set by  
12 Auburn University to look at the  
13 cultural recommendations for all  
14 crops to include small grains. And  
15 then they are set on climatic  
16 conditions, soils in the area and  
17 some other scientific consideration.  
18 And they establish the three planting  
19 zones: North, central and south.  
20 And that's based on their scientific  
21 knowledge and interaction and not  
22 only with the extension people but  
23 research people that work in those

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1 areas there. But that is the  
2 planting recommendation.

3 Now from that, you have two  
4 hunting zones. And this is where I  
5 want to make sure that I'm correct in  
6 saying this, the southern -- Mr.  
7 Pugh, let me just stop right there,  
8 and you explain the hunting zones and  
9 how they relate to the planting  
10 zones, if you would.

11 MR. PUGH: The conservation  
12 department as best I can determine  
13 has no authority to determine what  
14 the planting zones are for  
15 agricultural species of plants.

16 MR. MOODY: That's correct.

17 MR. PUGH: So regardless of what  
18 happens with this motion, even if the  
19 board voted to do this, the  
20 conservation department has no  
21 statutory authority to determine the  
22 legal zones for planting anything.  
23 Under the federal law, we are allowed

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1           to have two zones for doves. The two  
2           zones have to be of contiguous  
3           counties.

4           We can't have a county in the  
5           south zone that is not contiguous  
6           with the rest of the counties in that  
7           zone and the same for the north zone.  
8           That's all set by federal  
9           regulations.

10          CHAIRMAN MOULTRIE: I misstated  
11          your motion earlier, Dr. May. I  
12          included in I think three zones  
13          already for hunting. Would you  
14          repeat your motion, please, sir?

15          DR. MAY: The motion is to remove  
16          Marengo County from the south zone to  
17          the central zone.

18          CHAIRMAN MOULTRIE: If that can  
19          be done for planting?

20          DR. MAY: We are speaking -- it  
21          comes under 220-2-.114, which is the  
22          normal agriculture planting and dove  
23          hunting. It's not really hunting,

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1           it's really planting.

2           CHAIRMAN MOULTRIE: Dr. Smith?

3           DR. SMITH: What I can do I have  
4           already done, is taking the two  
5           (inaudible) that has a scientific  
6           basis for making these decisions,  
7           they have already reviewed it and  
8           based on these factors I talked about  
9           earlier, gave their professional  
10          judgment as those planting days are  
11          correct as they stand right now. So  
12          I don't know that I could take any  
13          action based on the recommendation of  
14          this board other than making them  
15          aware that the request has been made  
16          that they review it somewhat.

17          CHAIRMAN MOULTRIE: Is that  
18          acceptable, Dr. May?

19          So the motion is, again, that we  
20          move Marengo County from the south  
21          zone to the central zone and you  
22          request if that can be done, is  
23          approved.

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1 MR. SELF: Planting zone.

2 DR. MAY: Agricultural planting  
3 zone.

4 MR. SELF: I don't see what  
5 connection the advisory board has to  
6 this.

7 CHAIRMAN MOULTRIE: Dr. May?

8 MR. SELF: I don't see what  
9 connection the advisory board has to  
10 do with planting zones.

11 DR. SMITH: Well, it's in our  
12 regs.

13 MR. SELF: I don't think it is.

14 CHAIRMAN MOULTRIE: Mr. Moody?  
15 Can you interject --

16 DR. MAY: It's in this book.

17 CHAIRMAN MOULTRIE: Mr. Moody,  
18 can you --

19 MR. MOODY: If I can. The way we  
20 got to where we are with the planting  
21 days, it goes back several years to  
22 just a very, very brief background to  
23 where we are. There was a lot of

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1 concerns several years ago that the  
2 state (inaudible) treated dove  
3 hunters the same. There was  
4 confusion. One state would allow one  
5 thing and one state would allow  
6 something else. Neighboring states  
7 had different planting methods and  
8 methodology.

9 The fish and wildlife service  
10 made the rules that the extension  
11 system in every state would determine  
12 the planting dates (inaudible).  
13 Whatever the extension system that  
14 was the planting dates. And that is  
15 in the federal regs and we have no  
16 control over the planting dates. We  
17 exhibit no control other than  
18 consulting the extension system and  
19 getting their input and their  
20 scientists telling us what the  
21 planting dates are. So that's how we  
22 got to this point.

23 We certainly put that -- their

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1           recommendations or their planting  
2           dates go with our regulations so  
3           hunters can know what it is but  
4           that's how it gets in our --

5           MR. SELF: I understand that it's  
6           in the hunting regs. It's so it's an  
7           informational thing. It's not  
8           something that we have any control  
9           over or have the ability to change or  
10          even request a change. I mean, it's  
11          just like, say, we want to change --  
12          you know, it's 2:40 now, let's make a  
13          request it be changed -- to the  
14          federal government that we change the  
15          time to 2:45.

16          CHAIRMAN MOULTRIE: Dr. May?

17          DR. MAY: I don't understand why  
18          we do not have the authority to  
19          request that this county be moved  
20          into another. I don't care if it's  
21          the federal government, the state,  
22          the county or who.

23          CHAIRMAN MOULTRIE: I believe,

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1           Mr. Self, Dr. May is asking if the  
2           board is taking a position and we  
3           would like Dr. Smith to request this  
4           and the board vote on that in a  
5           motion.

6           Mr. Porter?

7           MR. PORTER: I think the point  
8           Dr. May -- and it may just be just a  
9           point of order. If, as I understand,  
10          it's something that's not within our  
11          power of authority to move regs on  
12          this, it's not something that we have  
13          the authority to vote on. I would  
14          say it would a departmental inquiry,  
15          if it's in order.

16          CHAIRMAN MOULTRIE: Mr. Porter,  
17          it can be asked that as determines  
18          what --

19          DR. MAY: Well, all you're doing  
20          is asking the extension service.

21          CHAIRMAN MOULTRIE: There is a  
22          motion and a second. Is there any  
23          discussion?

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1           There is a motion and a second  
2           that we ask that the board votes that  
3           we ask if we can move Marengo from  
4           the south to the central planting  
5           zone.

6           DR. MAY:   That they would move it  
7           for us.

8           CHAIRMAN MOULTRIE:   That they  
9           would move it for us.   All of those  
10          in favor?

11  
12                       (All board members, excepting  
13                       Mr. Porter, raised their  
14                       hands.)

15  
16           CHAIRMAN MOULTRIE:   Those  
17           opposed?

18  
19                       (Mr. Porter raised his hand.)

20  
21           CHAIRMAN MOULTRIE:   The motion  
22           passes.

23           MR. SMITH:   Mr. Chairman, let me

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1 ask that there be some kind of  
2 correspondence from the board to me  
3 to get that done so I will have an  
4 official request.

5 CHAIRMAN MOULTRIE: Dr. May, will  
6 you write that, the request?

7 DR. MAY: I make the request to  
8 the Board attorney that they give Dr.  
9 Smith permission to ask to move  
10 Marengo County south to the central  
11 zone.

12 CHAIRMAN MOULTRIE: Dr. May, is  
13 requesting permission to have the  
14 attorney write it for us and that  
15 will be present it to Dr. Smith.

16 Will you all hold the discussion  
17 in the back of the room, please,  
18 sirs?

19 MS. NUMMY: Quiet, please.

20 DR. MAY: I'd like to make a  
21 motion that we designate the first  
22 day of spring and fall turkey season  
23 to be handicap hunters only. I would

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1 ask that one day be added on the  
2 three groups of counties that have  
3 the lowest number of hunting days.

4 MR. MOODY: Say that again,  
5 please.

6 DR. MAY: I would say that one  
7 day be added on the front end of the  
8 season of the three groups of  
9 counties that have the lowest number  
10 of hunting days in the season. It's  
11 those three -- it's four groups  
12 there. Three of them -- especially  
13 the last one, only has two or three  
14 days. And I'm just asking that those  
15 three groups, since they don't have  
16 as much as the big group of counties,  
17 which comes in the 15th of March --

18 CHAIRMAN MOULTRIE: Dr. May, as a  
19 point of clarification to make sure I  
20 understand, you said that you wanted  
21 the first day of spring to be a youth  
22 handicap day for hunting?

23 Reread that, if you would, the

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1           very first part.

2           DR. MAY: The first day of spring  
3           -- excuse me. Turkey season for  
4           handicaps.

5           CHAIRMAN MOULTRIE: The first day  
6           of spring turkey season, not the  
7           first day of spring --

8           DR. MAY: Turkey season. I want  
9           to make a season, turkey season, for  
10          handicaps.

11          CHAIRMAN MOULTRIE: And you want  
12          that the first day of spring?

13          DR. MAY: The provision is the  
14          first day of spring and fall turkey  
15          season will be for handicap hunters  
16          only. It includes both spring and  
17          fall season. Some counties have it  
18          for fall season.

19          MS. NUMMY: Quiet, please.

20          CHAIRMAN MOULTRIE: Dr. May, as a  
21          point of clarification. If you would  
22          look at maybe saying the first day  
23          prior to the spring turkey season and

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1 fall turkey season.

2 DR. MAY: We would have to go  
3 through another motion, I suppose.

4 CHAIRMAN MOULTRIE: So your  
5 motion is --

6 DR. MAY: The handicap hunter may  
7 be accompanied by an assistant,  
8 guide, caller or all three.

9 The handicap hunter will be the  
10 only shooter.

11 If desired, the handicapped  
12 hunter may use a turkey decoy during  
13 this and all other turkey hunting  
14 seasons.

15 Must meet the requirements of the  
16 Alabama Special License for Handicaps  
17 as stated in Section 9-11-45.1.

18 CHAIRMAN MOULTRIE: There is the  
19 motion. Is there a second?

20 MR. HARBIN: I second. The  
21 motion will be as written as the  
22 provisions of turkey season dealing  
23 with the handicap turkey hunter, the

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1 first days of the Spring and Fall  
2 turkey seasons will be for  
3 handicapped hunters only. The  
4 handicapped hunter may be accompanied  
5 by an assistant, a guide, a caller or  
6 all three.

7 The handicapped hunter will be  
8 the only shooter.

9 If desired, the handicapped  
10 hunter may use a turkey decoy during  
11 this and all other turkey hunting  
12 seasons.

13 He must meet the requirements of  
14 the Alabama special license for  
15 handicaps stated in Section  
16 9-11-45.1.

17 CHAIRMAN MOULTRIE: Is there a  
18 motion?

19 MR. PORTER: I second.

20 The other thing I'd like to add  
21 is some language we did about the  
22 decoys ought to be incorporated. The  
23 decoys.

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1           CHAIRMAN MOULTRIE: How long you  
2           want to use the decoys.

3           MR. PORTER: No, it's not -- the  
4           fall season and this one right here.

5           CHAIRMAN MOULTRIE: Very good  
6           point.

7           MR. WILLIS: I've got a question.

8           CHAIRMAN MOULTRIE: Hold on.

9           Mr. Porter, are you finished?  
10          You still have the floor.

11          MR. PORTER: No, just the fact  
12          about the decoys.

13          DR. MAY: His motion will cover  
14          this.

15          CHAIRMAN MOULTRIE: That will  
16          cover that about the decoys.

17          Mr. Willis.

18          MR. WILLIS: Okay. The first day  
19          of the spring season, if you count it  
20          in the lower part, is March the 15th  
21          and the number that they refer with  
22          this and the handicap would then  
23          fall --

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1           CHAIRMAN MOULTRIE: As it states  
2           now, it would be the day prior to  
3           that day.

4           MR. WILLIS: Right that would be  
5           the last day of March.

6           CHAIRMAN MOULTRIE: That's  
7           correct.

8           MR. WILLIS: That would be the  
9           handicap day.

10          CHAIRMAN MOULTRIE: Yes, sir.  
11          Mr. Johnson?

12          MR. JOHNSON: No.

13          CHAIRMAN MOULTRIE: Any other  
14          discussion? There's a motion and a  
15          second.

16          Dr. Smith?

17          DR. SMITH: Let me make sure I  
18          understand what we're voting on. Are  
19          we, in effect, adding one day of the  
20          season to be exclusively for handicap  
21          hunters?

22          CHAIRMAN MOULTRIE: That's  
23          correct.

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1           There's a motion and a second. A  
2           turkey season for handicap to add the  
3           day before the first day of  
4           spring/fall turkey season will be for  
5           handicap hunters only. Handicapped  
6           hunters may be accompanied by an  
7           assistant, a guide, a caller or all  
8           three.

9           The handicapped hunter will be  
10          the only shooter.

11          If desired, the handicapped  
12          hunter may use a turkey decoy during  
13          this and all other turkey seasons.

14          He must meet the requirements of  
15          the Alabama Special License for  
16          Handicaps as stated in Section  
17          9-11-25.1.

18          All those in favor, raise your  
19          hand.

20

21                   (All board members excepting  
22                   Mr. Lynch their hands.)

23

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1                   CHAIRMAN MOULTRIE: All opposed?

2

3                   (Mr. Lynch raised his  
4                   hand.)

5

6                   CHAIRMAN MOULTRIE: The motion  
7                   carries.

8                   DR. MAY: There's Alabama Game  
9                   Fish and Wildlife laws. The first  
10                  motion is to change and under the  
11                  prem to buy a license and so forth  
12                  under Paragraph A on Page 57, Section  
13                  9-11-51. Line number 8. Change the  
14                  10 to read \$50.

15                  Line number 9, change \$25 to read  
16                  \$100.

17                  Paragraph --

18                  MR. LAWLEY: We don't have the  
19                  authority to change license rates.  
20                  That has to be done through the  
21                  legislature. And we're reviewing  
22                  that program. We certainly made this  
23                  part of it. We make the

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1 presentation. I wish we could, but  
2 they won't let us handle money over  
3 here.

4 DR. MAY: Now, these are fines --

5 MR. LAWLEY: Yes, sir. Anything  
6 that has a dollar sign --

7 DR. MAY: All of this is  
8 legislature?

9 MR. LAWLEY: Yes, sir.

10 DR. MAY: What you're saying  
11 there's not any need to make a motion  
12 on it?

13 MR. LAWLEY: It won't do us any  
14 good. I mean, we will certainly take  
15 this when we're redoing everything  
16 for our legislation that we're going  
17 to try to get presented next session.  
18 We are going to address fines, we're  
19 going to address a lot of things.

20 DR. MAY: Well, do we need a  
21 motion that it be done or we just  
22 request that this department do it?

23 MR. LAWLEY: I don't think we

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1           need a motion. We just take this and  
2           we will work it out to use these  
3           figures.

4           MR. COLES: Mr. Chairman, I have  
5           several motions as it relates to  
6           permitting a system that we had  
7           requests from.

8           I would like to make a motion  
9           that we adopt the permit system for  
10          Henry, Covington and Geneva Counties  
11          under the agreement presented by the  
12          dog deer hunting in these respective  
13          counties.

14          Also, to amend permit systems for  
15          Chambers and Coosa Counties to be  
16          worded like Henry, Covington and  
17          Geneva Counties.

18          And in this motion that it  
19          further gives the administrative and  
20          enforcement divisions for the  
21          Department of Conservation and  
22          Natural Resources the authority to  
23          edit the wordings of these agreements

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1 but not to change the intent or  
2 purpose of these agreements. And a  
3 copy of this should be sent to each  
4 member of the Conservation Advisory  
5 Board.

6 MR. HATLEY: Second the motion.

7 CHAIRMAN MOULTRIE: There's a  
8 motion to second to adopt the permit  
9 system for Henry, Covington and  
10 Geneva Counties under the agreement  
11 presented dog deer hunting with those  
12 respective counties, also to amend  
13 the permit system to Chambers and  
14 Coosa Counties to be worded like  
15 Henry, Covington and Geneva. And  
16 this motion, also further gives  
17 administrative and enforcement  
18 divisions of the Department of  
19 Conservation and Natural Resources to  
20 edit the wording of these agreements  
21 but not to change the intent or  
22 purpose of these agreements. A Copy  
23 should be sent to each member of the

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1 Conservation Advisory Board.

2 Any discussion?

3 Mr. Willis.

4 MR. WILLIS: I didn't hear  
5 Franklin County, Lamar or various  
6 counties. Why can't this permit  
7 thing go over to these counties, too?

8 MR. COLES: It was a request from  
9 the -- excuse me, Mr. Chairman, may I  
10 answer the question?

11 CHAIRMAN MOULTRIE: Yes, you may.

12 MR. COLES: It was a request from  
13 the enforcement division so that the  
14 -- there were not five different  
15 regulations out there. Five  
16 different counties having five  
17 different regulations.

18 MR. WILLIS: What would be the  
19 chance in getting the same  
20 regulations under the same -- asking  
21 for a permit. It's the same thing  
22 involved in the people -- the  
23 landowners in Franklin County, I'm

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1           sure would like --

2           MR. COLES: Well, if I may, Mr.  
3           Chairman. Mr. Willis, we had these  
4           folks come today with the request for  
5           this and they have signed agreements.  
6           Now, I'm sure that this will probably  
7           be a good thing up there. But today,  
8           these people came asking for this and  
9           they already have signed agreements  
10          in each one of your packets.

11          MR. HARBIN: The reason it wasn't  
12          brought up in those three counties,  
13          because it was brought up today,  
14          nobody had any information on it,  
15          didn't know anything about it. And  
16          those three counties, the landowners  
17          have asked to wait on this for those  
18          three counties.

19          MR. WILLIS: Well, I if recall,  
20          Mr. Sanders back there, he come today  
21          asking for a permit under the same  
22          input that these other counties. And  
23          I asked for a permit for the lady's

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1           whose husband is in Iraq. Some  
2           difference. Same program. Giving  
3           them a chance to redeem herself to  
4           the landowners that are -- they  
5           didn't have any complaints. The  
6           Board chose them for no reason at  
7           all. That's my outlook on it.

8           MR. HARBIN: All I know is that  
9           Mr. Sanders had been talking with the  
10          commissioner, I think, about some  
11          type of permit. But it has not been  
12          discussed in any form, other than MR.  
13          COLES' permit system.

14          MR. WILLIS: Like I said, Mr.  
15          Sanders came before the Board today.  
16          And we couldn't --

17          MR. HARBIN: There wasn't any  
18          discussion about the permit for those  
19          counties. Like MR. COLES --

20          MR. WILLIS: There's been no  
21          discussion with who?

22          MR. SMITH: Can I say something?

23          CHAIRMAN MOULTRIE: Mr. Willis.

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1           MR. WILLIS: It was discussed on  
2           the floor here today. And, I mean,  
3           what I'm saying is why can't these  
4           counties be included in the same  
5           proposition that they're going to do  
6           with the other counties?

7           MR. HARBIN: MR. COLES, would you  
8           explain how you got these agreements  
9           together? I think that you need that  
10          on these three counties is the dog  
11          hunters and the landowners were  
12          standing up there together when they  
13          petitioned us for this permit system.  
14          We have individual counties where we  
15          have the two sides stepping up there  
16          by themselves. So this is a unique  
17          situation in three counties where the  
18          groups got together, they worked it  
19          out themselves. They've agreed to  
20          what they want to try to get  
21          accomplished. And I think we ought  
22          to honor what they've done, in  
23          looking at other counties on a

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1 county-by-county basis based on what  
2 we hear from those counties.

3 MR. WILLIS: I'm not going to get  
4 --

5 CHAIRMAN MOULTRIE: Hold on, Mr.  
6 Willis. MR. COLES.

7 MR. COLES: These agreements did  
8 not come about this morning. They  
9 weren't written on the way down here.  
10 These agreements were reached over a  
11 series of meetings in each county.

12 We had an initial meeting between  
13 folks representing landowners and the  
14 dog deer hunters. Each group went  
15 back to their respective folks and  
16 they discussed it.

17 In Henry County, we had probably  
18 one of the most unique situations in  
19 that after each side went back to  
20 their groups and they had a  
21 county-wide meeting of their group,  
22 we had two game wardens, one with the  
23 landowners and one with the dog deer

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1 hunters, and they were back and forth  
2 on the radio negotiating for  
3 somewhat, like, two hours; is that  
4 correct, Mr. Barnes?

5 MR. BARNES: Right.

6 MR. COLES: And this thing, like  
7 I said, it wasn't just written up on  
8 the way down here this morning.  
9 There have been several meetings in  
10 all three of these counties.

11 MR. WILLIS: MR. COLES, I'm not  
12 disputing what you're saying. I'm on  
13 your side. I'm going to vote for  
14 you. What I want to do is get these  
15 other counties in on it, because they  
16 have the same rights as your county.

17 MR. COLES: Yes, sir. I would be  
18 glad to comment. If the people that  
19 are up in your county would vote to  
20 --

21 MR. WILLIS: That's what I wanted  
22 to find out if we could have this  
23 meeting and get these landowners west

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1           of Russellville and the west part of  
2           Franklin County, in particular, I  
3           know that the majority of the  
4           landowners would like to see the dog  
5           deer hunting come back under permit.  
6           I would like to see this come before  
7           the season starts. I want to know if  
8           we can get some kind of a permit  
9           system going for these people.

10           MR. HARBIN: All I got to say is  
11           that the owners that I talked to on  
12           these three counties are totally  
13           against dog hunting. That's the  
14           bottom line. They are totally  
15           against dog hunting. In Franklin,  
16           Marion and Lamar. And, so, if  
17           there's any up there in Franklin, I  
18           have not talked to them.

19           MR. WILLIS: You didn't answer my  
20           question --

21           MR. HARBIN: Anybody that wants  
22           to set up a meeting anywhere, just  
23           call me and we'll get started on it.

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1           MR. WILLIS: Okay. Now, under  
2           those circumstances can we have an  
3           assurance here to the people from  
4           Franklin County and Lamar County and  
5           whatever, if they come and want to  
6           talk to you and talk to the  
7           landowners and talk to the people  
8           that's got a discrepancy against it  
9           and see if we can work it with these  
10          people before the hunting season  
11          starts in November?

12          MR. HARBIN: I don't know if we  
13          can get it by November, but we could  
14          sure to get them together before  
15          November.

16          MR. WILLIS: That's what I'm  
17          talking about. When we get them  
18          together and they come to -- they  
19          move the criteria of the permit, are  
20          we going to be able to get them a  
21          permit to hunt this season?

22          MR. HARBIN: I don't know. It's  
23          according to how much agreements you

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1 get between the landowners and the --

2 MR. COLES: Mr. Chairman, can we  
3 call for a vote on the question?

4 CHAIRMAN MOULTRIE: There's been  
5 a call for a vote on the question and  
6 Mr. Harbin was making a good point.  
7 The discussion that's going on is not  
8 exact to the motion that was made.  
9 We'll be willing to discuss it  
10 afterward, Mr. Willis. We have a  
11 motion and a second on the floor and  
12 the discussion on it I think has  
13 ended. Is there any more discussion  
14 on the motion for the second on the  
15 floor?

16 The motion on the floor is a  
17 motion to adopt the permit system for  
18 Henry, Covington and Geneva Counties  
19 under the agreements presented for  
20 dog deer hunting in these respective  
21 counties. Also, to amend the permit  
22 system for Chambers and Coosa  
23 Counties to be worded like Henry,

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1 Covington and Geneva Counties. This  
2 motion further gives the  
3 administrative and enforcement  
4 divisions of the Department of  
5 Conservation and Natural Resources to  
6 edit the wording of these agreements  
7 but not change the intent or purpose  
8 of these agreements. A copy should  
9 be sent to each member of the  
10 Conservation Advisory Board.

11 All those in favor, raise your  
12 hand.

13  
14 (All members of the board  
15 excepting one raised their  
16 hands.)

17  
18 CHAIRMAN MOULTRIE: All  
19 opposed?

20  
21 (Mr. Porter raised his hand.)

22  
23 CHAIRMAN MOULTRIE: The motion

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1 carries.

2 Mr. Willis, any other discussion  
3 that you have now on the counties?

4 MR. WILLIS: Yes. I would like  
5 -- of course, I don't want to go back  
6 and repeat myself, Mr. Chairman. I  
7 would like to know what would be the  
8 date in order to get -- do we have to  
9 have a representative from those  
10 counties or do we have to have board  
11 members or whatever?

12 CHAIRMAN MOULTRIE: MR. COLES and  
13 Mr. Harbin, will y'all agree to work  
14 with Mr. Willis on providing him that  
15 information?

16 MR. HARBIN: Yes, sir.

17 MR. COLES: Yes, sir.

18 CHAIRMAN MOULTRIE: If you can  
19 take care of that, then we can move  
20 on.

21 MR. WILLIS: I want to know, is  
22 this going to be able to be done by  
23 November hunting season for dog

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1 season hunters?

2 MR. HARBIN: No, sir. I don't  
3 think it can be done by November.

4 MR. WILLIS: There again, these  
5 people -- these counties are not  
6 being treated fair.

7 And I wanted it to be said.

8 MR. COLES: Mr. Chairman?

9 CHAIRMAN MOULTRIE: MR. COLES?  
10 Go ahead.

11 MR. COLES: I have a resolution  
12 here from the county commission in  
13 Conecuh County. It's signed by their  
14 chairman and four of the  
15 commissioners, which is all of their  
16 commissioners, and they're requesting  
17 that Conecuh County be moved to the  
18 north zone for purpose of dove  
19 hunting.

20 And, so, I make that motion.

21 CHAIRMAN MOULTRIE: Can you  
22 repeat that, MR. COLES? One more  
23 time.

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1 MR. COLES: My motions are  
2 important, aren't they, Mr. Chairman?

3 CHAIRMAN MOULTRIE: Is there a  
4 second?

5 MR. HARBIN: Second.

6 CHAIRMAN MOULTRIE: A motion and  
7 a second for a resolution from the  
8 Conecuh County Commission signed by  
9 their chairman, and each county  
10 commissioner, move Conecuh County to  
11 the north zone for dove hunting  
12 beginning the 2004-2005 season.

13 Any discussion?

14 MR. HATLEY: Mr. Chairman?

15 CHAIRMAN MOULTRIE: Yes.

16 MR. HATLEY: Does it fall in the  
17 guidelines of being contiguous?

18 MR. PORTER: Yes, sir, it does.

19 CHAIRMAN MOULTRIE: Any further  
20 discussion?

21 There's a motion and a second to  
22 the resolution from the Conecuh  
23 County Commission signed by their

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1 chairman and each county  
2 commissioners move Conecuh County to  
3 the north zone for dove hunting  
4 season beginning 2004-2005 season.  
5 All those in favor, raise your hand.

6  
7 (All members raised their  
8 hands.)

9  
10 CHAIRMAN MOULTRIE: All opposed?  
11 The motion carries.

12 MR. Coles?

13 MR. COLES: We heard the  
14 discussion and the request of  
15 Crenshaw County this morning and  
16 request, and also have a letter from  
17 the sheriff in the county and a  
18 letter from the district judge and  
19 had a letter from the County  
20 Commissioner in Crenshaw County. So,  
21 Mr. Chairman, I'd like to make a  
22 motion to ban dog deer hunting in  
23 Crenshaw County outside the city

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1 limits of Luverne, south of U.S.  
2 Highway 29, west of County Road 57,  
3 north of County Road 41 and east of  
4 County Road 39.

5 CHAIRMAN MOULTRIE: Is there a  
6 second?

7 MR. JOHNSON: Second.

8 CHAIRMAN MOULTRIE: There is a  
9 motion and a second to ban dog deer  
10 hunting in Crenshaw County outside  
11 the city of Luverne, south of U.S.  
12 Highway 29, west of County Road 57,  
13 north of County Road 41 and east of  
14 County Road 39.

15 Any discussion?

16 Being no discussion, there's a  
17 motion and second to ban dog deer  
18 hunting in Crenshaw County outside  
19 the city of Luverne, south of U.S.  
20 Highway 29, west of County Road 57,  
21 north of County Road 41 and east of  
22 County Road 39. All those in favor,  
23 raise your hand.

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1

2

(All board members excepting

3

two raised their hands.)

4

5

CHAIRMAN MOULTRIE: All opposed?

6

7

(Mr. Willis and Mr. Porter

8

raised their hands.)

9

10

CHAIRMAN MOULTRIE: The motion

11

carries.

12

MR. SELF: I have a motion. The

13

motion deals with protection of grass

14

beds in Perdido Bay. And the motion

15

is that we close that area east of

16

Bird Island inside of a line of

17

pilings running northeasterly toward

18

Walkers Island, then along the north

19

side of Walkers Island to the -- to

20

the -- to the use of any motorized

21

watercraft.

22

If the motion passes, to give the

23

department editorial license to

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1           develop the regulations needed to  
2           effect this closure.

3           CHAIRMAN MOULTRIE:  Is there a  
4           second?

5           MR. LYNCH:  I second.

6           CHAIRMAN MOULTRIE:  There's a  
7           motion and a second to -- let me see  
8           if I can get this.  To close that  
9           area east of Bird Island inside a  
10          line of pilings running northeasterly  
11          toward Walkers Island, then along the  
12          north side of Walkers Island to the  
13          use of motorized watercraft.  Also,  
14          to give the department editorial  
15          license to develop the regulations  
16          needed to effect this closure.

17          Any discussion?

18          There's no discussion.

19          Let's see if we can read it.

20          We're going to close that area east  
21          of Bird Island inside a line of  
22          pilings running northeasterly toward  
23          Walkers Island, then along the north

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1 side of Walkers Island to the use of  
2 any motorized watercraft. Gives the  
3 department editorial license to  
4 develop the regulations as needed to  
5 effect this closure.

6 All in favor, raise your hands.  
7 All opposed?

8  
9 (Board members unanimously  
10 raised their hands.)

11  
12 CHAIRMAN MOULTRIE: The motion  
13 carries.

14 MR. HARBIN: I have a motion on  
15 crossbows. I would like to make a  
16 motion to make crossbows legal to  
17 hunt game animals in Alabama for all  
18 ages. The season to be from October  
19 the 15th to January 31st during the  
20 special archery season. And it's the  
21 specifications for the crossbows that  
22 has already been defined by the  
23 conservation department. It's rule

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1 220-2-99.

2 CHAIRMAN MOULTRIE: Is there a  
3 second?

4 MR. JOHNSON: Second.

5 CHAIRMAN MOULTRIE: There's a  
6 motion and second to make the  
7 crossbow a legal means to hunt game  
8 animals in Alabama for all ages.  
9 Recommend that the season run  
10 currently with the archery season.  
11 October 15th thru January 31st.  
12 Specification for the crossbow has  
13 been defined by the Department of  
14 Conservation and Natural Resources as  
15 Rule 220-2-99 on page 35.

16 Any discussion.

17 MS. SMITH: Mr. Chairman, I would  
18 like to ask Mr. Andress if he has any  
19 reaction to this.

20 MR. ANDRESS: There is no issues  
21 related to that.

22 CHAIRMAN MOULTRIE: Any other  
23 discussion?

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1           There's a motion and a second to  
2           make crossbows a legal means to hunt  
3           game animals in Alabama for all ages.  
4           Recommend that the season run  
5           currently with the archery season.  
6           October 15th thru January 31st.  
7           Specification of the crossbow has  
8           been defined by the Department of  
9           Conservation and Natural Resources as  
10          Rule 220-2-99, page 35.

11          All those in favor, raise your  
12          hand.

13  
14                   (All board members excepting  
15                   two raised their hands.)

16  
17           CHAIRMAN MOULTRIE:   Opposed?

18  
19                   (Board members Self and  
20                   Porter raised their hands.)

21           CHAIRMAN MOULTRIE:   The motion  
22          carries.

23           MR. HARBIN:   I have a motion to  
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1 close a portion of Winston County to  
2 dog deer hunting. Starting from the  
3 Winston-Walker County line where  
4 Highway 5 -- this is in Winston  
5 County. And it will drop southwest  
6 to Natural Bridge, Alabama.  
7 Everything east of Highway 5 and  
8 north of 278 will be closed to dog  
9 deer hunting. And this was  
10 recommended by the sheriff of Winston  
11 County. And he asked for a one-year  
12 ban and next year, he will review it.

13 MR. JOHNSON: Can he restate the  
14 motion?

15 CHAIRMAN MOULTRIE: Restate the  
16 motion, please, sir.

17 MR. HARBIN: A motion to close a  
18 portion of Winston County to dog deer  
19 hunting from the Winston-Walker  
20 County line along Highway 5 to  
21 Natural Bridge, Alabama. This will  
22 include everything east of Highway 5  
23 and north of 278. And this was

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1 recommended by Sheriff Townsend of  
2 Winston County.

3 CHAIRMAN MOULTRIE: For one year?

4 MR. HARBIN: And it will be  
5 reviewed.

6 CHAIRMAN MOULTRIE: Is there a  
7 second?

8 MR. JOHNSON: Second.

9 CHAIRMAN MOULTRIE: There's a  
10 motion and second to close a portion  
11 of Winston County to dog deer hunting  
12 from the Winston-Walker County along  
13 Highway 5 -- let me repeat that.  
14 From the Winston-Walker County along  
15 Highway 5 to Natural Bridge, Alabama.  
16 This will include everything east of  
17 Highway 5 and north of 278. This is  
18 recommended by the sheriff of Winston  
19 County. This will be on a one-year  
20 basis.

21 DR. MAY: Review it in one year.

22 MR. WILLIS: Who will review it?

23 CHAIRMAN MOULTRIE: The sheriff.

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1           MR. WILLIS: Did you meet with  
2 these people, Mr. Harbin?

3           MR. HARBIN: Yes, sir, I did.

4           MR. WILLIS: Were both sides a  
5 party --

6           MR. HARBIN: No, sir. The dog  
7 hunters didn't show up. They were  
8 invited.

9           MR. WILLIS: They were notified?  
10 The landowners were notified?

11          MR. HARBIN: No, sir, I didn't  
12 notify them. The landowners asked --

13          MR. WILLIS: Do you think that  
14 would have been your duty --

15          MR. HARBIN: The word is out. If  
16 he wants me to meet with them just  
17 call me to set up the meeting.  
18 That's been my plan the whole time.

19          MR. WILLIS: The plan is in the  
20 future is just to call up if you want  
21 something --

22          MR. HARBIN: Mr. Willis, the  
23 landowners called me. I did not call

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1           them.

2

3                       (Simultaneous conversation)

4

5           MS. NUMMY: One at a time,  
6           please.

7           MR. WILLIS: -- I think -- one at  
8           a time; you're right. I think that  
9           if you keep going with it, it's going  
10          to be like some of those suggestions.  
11          You might as well just close it all  
12          and then get a permit if you get  
13          somebody to come meet with you to get  
14          this permit. If he didn't meet with  
15          these people on both sides,  
16          regardless of what the sheriff says,  
17          I don't know -- the sheriff something  
18          in Franklin County one time -- but  
19          I'm opposed to it.

20          End of discussion for me.

21          CHAIRMAN MOULTRIE: Mr. Harbin.

22          MR. HARBIN: I don't have  
23          anything else. The sheriff is the

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1           one that contacted me. The  
2           landowners contacted me. I didn't  
3           contact any of those. The same thing  
4           happened in Franklin and in Lamar.  
5           The landowners called me. The dog  
6           hunters have had the same phone  
7           numbers. And none of them has called  
8           except Mr. Sanders has talked to me a  
9           couple of times on the phone.

10           CHAIRMAN MOULTRIE: Any other  
11           discussion?

12           If there's no other discussion,  
13           there's a motion and a second to  
14           close a portion of Winston County to  
15           dog deer hunting from the  
16           Winston-Walker line -- county line,  
17           along Highway 5 to Natural Bridge,  
18           Alabama. This will include  
19           everything east of Highway 5 and  
20           north of 278. This has been  
21           recommended by the sheriff of Winston  
22           County. This will be reviewed in one  
23           year.

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1 All those in favor, raise your  
2 hand.

3  
4 (All board members excepting  
5 two, Mr. Porter and Mr.  
6 Willis, raised their hands.)

7  
8 CHAIRMAN MOULTRIE: The motion  
9 carries.

10 MR. WILLIS: Mr. Harbin, do you  
11 have a comment on that?

12 MR. HARBIN: Well, I was just  
13 trying to say that the sheriff called  
14 me on two different occasions in the  
15 last three weeks making this same  
16 request that was in your motion.  
17 He's well aware of the feedback and  
18 the position he's taken, but he says  
19 that it's something that really needs  
20 to be done and that's why he asked  
21 for the one year.

22 And I think we need to honor any  
23 law enforcement, especially the chief

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1 law enforcement agent of the county  
2 that makes a request like this.

3 MR. HATLEY: I would like to make  
4 a motion for the muzzleloader season.  
5 I would like to strike the first  
6 sentence as in the regulation, which  
7 states muzzleload -- deer: By  
8 muzzleloader only - stalk hunting  
9 only (no dogs). The first sentence  
10 says: Open sights only (no scope).  
11 I would like that sentence deleted.  
12 And the remainder of the regulation  
13 to remain intact.

14 MR. COLES: Second the motion.

15 CHAIRMAN MOULTRIE: There's a  
16 motion and a second to remove from  
17 the muzzleloading regulation the  
18 first sentence that states -- to  
19 strike that states "open sights only  
20 (no scopes)."

21 Any discussion?

22 Being no discussion, there's a  
23 motion and a second to strike the

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1 first sentence from the "deer by  
2 muzzleloader only - stalk hunting  
3 only section. The sentence says --  
4 the first sentence says: Open sights  
5 only (no scopes). That be stricken.  
6 All those in favor, raise your hand.

7  
8 (All board members excepting  
9 one, Mr. Porter, raised their  
10 hands.)

11  
12 CHAIRMAN MOULTRIE: The motion  
13 carries.

14 That's on page 28 for the court  
15 reporter if she would put that down.  
16 Page 28 of the Regulation Book.

17 DR. SMITH: I would like to move  
18 that the Board approve all  
19 regulations adopted by the  
20 commissioner since our last summer  
21 meeting in 2003.

22 MR. LYNCH: Second.

23 CHAIRMAN MOULTRIE: There's a  
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1 motion and a second that the Board  
2 approve all regulations adopted by  
3 the Commissioner since our last  
4 summer meeting of 2003. Any  
5 discussion?

6 MR. PORTER: I've got a question.  
7 Y'all have something?  
8

9 MR. PUGH: No, sir, not on that.

10 CHAIRMAN MOULTRIE: Any  
11 discussion? There's a motion and  
12 second that the Board approve all  
13 regulations adopted by the  
14 Commissioner since our last summer  
15 meeting in 2003. All in favor, raise  
16 your hand.  
17

18 (All board members  
19 unanimously raised their  
20 hands.)

21 CHAIRMAN MOULTRIE: All opposed?  
22 All of those for again -- we'll have  
23 a recount, raise your hand.

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1 (All board members  
2 unanimously raised their  
3 hands.)  
4

5 CHAIRMAN MOULTRIE: All opposed?  
6 Motion carries.

7 Mr. Pugh?

8 MR. PUGH: We need the Board to  
9 deal with the seasons and limits  
10 recommendations for '04-'05 hunting  
11 season. And I'd like to ask Fred  
12 Harders to do that for you. And  
13 there are some counties that you  
14 haven't discussed that have to deal  
15 with that.

16 MR. HARDERS: In your package,  
17 you have that recommendations from  
18 the Wildlife and Fresh Water  
19 Fisheries Division and those  
20 recommendations, with the exception  
21 of one, which will be passed out to  
22 you now.

23 Those recommendations are based

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1           upon field staff personnel submitting  
2           those to their representative chiefs.  
3           And then the chiefs of those sections  
4           meeting with me and we work out these  
5           regulations.

6           The one exception is being passed  
7           out now is a request to close a  
8           portion of eastern Geneva County to  
9           turkey hunting for the purpose of  
10          restock.

11          If I may, I'd just like to  
12          quickly go over some of the changes  
13          briefly that are in the suggested  
14          season and bag limits on deer. The  
15          doe season has been liberalized and  
16          more counties have been added to more  
17          doe days. The south inter-coastal  
18          canal restriction has been removed  
19          and established a youth deer hunting  
20          day on page 5.

21          And on page 10 dealing with feral  
22          swine hogs. There is a change that  
23          wasn't noted, it's written in there.

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1           What it does is closes to guns, bows  
2           and arrows and spear hunting with dog  
3           during stalk/gun season. And then a  
4           change on page 14 and 15 --

5  
6           (Simultaneous conversation)

7  
8           MR. COLES: Mr. Chairman -- we  
9           adopt these regulations --

10          MS. NUMMY: Quiet, please.

11          MR. COLES: -- including the  
12          turkey restocking for Geneva County.

13          CHAIRMAN MOULTRIE: Was there a  
14          second?

15          MR. HARMON: I'll take it.

16          CHAIRMAN MOULTRIE: There's a  
17          motion and second to adopt the  
18          regulations. Is there any  
19          discussion?

20          There's a motion and a second  
21          that we adopt all of the  
22          recommendations from the Wildlife and  
23          Fresh Water Fisheries just presented.

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1 All of those in favor, raise your  
2 hand.

3  
4 (All board members raised  
5 their hands).

6  
7 CHAIRMAN MOULTRIE: All opposed?  
8 The motion carries.

9 MR. HATLEY: Mr. Chairman?

10 CHAIRMAN MOULTRIE: Yes.

11 MR. HATLEY: Just for a point of  
12 clarification related to Conecuh  
13 County and dove hunting. We  
14 certainly have no problem with that  
15 and don't think it will be a problem,  
16 but it does have to be approved by  
17 the fish and wildlife --

18 CHAIRMAN MOULTRIE: They're aware  
19 of it.

20 MR. HATLEY: Just wanted  
21 verification.

22 CHAIRMAN MOULTRIE: The next  
23 order of business is the location of

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1           the 2005 board meeting. The date  
2           should be March 5th, 2005. And the  
3           location will be determined and  
4           announced in the very near future.  
5           As in the past, we try to move these  
6           advisory board meetings around. And  
7           we try to move it to the north and  
8           western and eastern parts of the  
9           state.

10                 Is there any further business  
11           from this session?

12                 Since there is no further  
13           business, this meeting is adjourned.

14

15           (THE MEETING WAS ADJOURNED AT 3:23 P.M.)

16

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## 1 C E R T I F I C A T E

2 STATE OF ALABAMA)

3 COUNTY OF MONROE)

4 I do hereby certify that the above  
5 and foregoing transcript of proceedings in  
6 the matter aforementioned was taken down by  
7 me in machine shorthand, and the questions  
8 and answers thereto were reduced to writing  
9 under my personal supervision, and that the  
10 foregoing represents a true and correct  
11 transcript of the proceedings given by said  
12 witness upon said hearing.

13 I further certify that I am neither  
14 of counsel nor of kin to the parties to the  
15 action, nor am I in anywise interested in the  
16 result of said cause.

17

18 \_\_\_\_\_

19 PATRICIA TAYLOR, CSR

20 COURT REPORTER,

21 NOTARY PUBLIC

22 STATE OF ALABAMA AT LARGE

23 My Commission Expires: 1/2/2005

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